

**URBAN
MUNICIPAL**

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1999

MINUTES
HAMILTON CITY COUNCIL
SEPT. 28, 1999 ...

September 28, 1999

URBAN MUNICIPAL

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GOVERNMENT DOCUMENTS

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M21
1999

Minutes of Hamilton City Council
Tuesday, September 28, 1999
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

There were present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini,
B. Morelli, D. Haining, D. Wilson, C. Collins,
F. Eisenberger, T. Jackson, B. Charters,
T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan.

Absent: Alderman G. Copps - Illness

Mayor R. M. Morrow called the meeting to order.

The National Anthem was played.

Reverend Allison Barrett, The First Unitarian Church of Hamilton led Council in prayer.

PRESENTATIONS

Robert Silenzie of J. S. Foods in association with the Hamilton Tiger-Cats Football Club and Tiger-Cat Rob Hitchcock presented Mayor R. M. Morrow with an EAT 'EM RAW Poster .

Leighan Leggat, Mountain Saturn Saab Isuzu of Hamilton presented Mayor R. M. Morrow with a donation of \$13 382.88. This donation is for a creative play structure at William Bethune Park.

Mayor R. M. Morrow presented Civic Awards in recognition of the athletes, coaches and mission staff with respect to the Pan American Games. Those honoured were: Joanne Malar who won 3 gold medals and 1 bronze medal for swimming. Ms. Malar's parents Mr. and Mrs. Gord Malar accepted the Civic Award on Ms. Malar's behalf. Chris Lovett won a bronze medal for waterpolo. Chris Lovett's grandparents, Mr. and Mrs. Gordon Lovett accepted the Civic Award on his behalf.

Lisa Bertoncini was the team leader for the men's team who won the silver medal in archery. Zaya Younan won a silver medal in boxing. Zaya Younan's coach Vinne Ryan was also in attendance. Dr. Gene Sutton was the gymnastics administrator.

Gale Roossien of St. Clair Boulevard read her letter to the Editor of the Hamilton Spectator regarding her thoughts about living in Hamilton.

ADOPTION OF MINUTES

The minutes of the special meeting held September 7, 1999 were adopted as circulated.

CORRESPONDENCE

1. Letter dated September 13, 1999 from B. Vanderbrug, General Manager, Hamilton Region Conservation Authority respecting the appointment of 3 elected officials to a Steering Committee.

Referred to the Parks and Recreation Committee

2. Application dated September 27, 1999 from Fenestra Investments Limited, (L. Greenwald), c/o Larry Szpirglas (Mercedes Homes) 50 Dundas Street East, Flamborough, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for Block "1" and from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc) District, modified, for Block "2" for property on the south side of Rymal Road East, east of Upper Wentworth, Hamilton, Ontario.

Received

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Planning and Development Committee, and the Finance and Administration Committee, be considered in Committee of the Whole with Alderman Kelly in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – SEVENTEENTH REPORT

Section 15 Re: Appeal of OMB Decision – Rental Housing in Official Plans

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS Alderman Eisenberger. -1.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE – FOURTEENTH REPORT

**Section 4 Re: Hamilton Tiger Cat Club Sign to advertise upcoming games
- Conflict of Interest**

Alderman B. Charters declared personal interest in, took no part in the debate and refrained from voting on this matter as he is an employee of the Sign Company.

Section 4 Re: Hamilton Tiger Cat Club Sign to advertise upcoming games

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -14.

NAYS Alderman Caplan. -1.

CARRIED.

Section 6 Re: Brownfield Development Task Force

It was moved by Alderman Charters and seconded by Alderman Wilson that Section 6 of the Fourteenth Report for 1999 of the Finance and Administration Committee be referred back. **CARRIED.**

Section 7 Re: By-law to Levy Taxes for the Year 1999

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Section 7 of the Fourteenth Report for 1999 of the Finance and Administration Committee be amended to delete Sub-Sections (a) and (b) and insert in lieu thereof the following:

D-30 A By-law to Levy Taxes for the Year 1999. **CARRIED.**

RESOLUTIONS

Resolution Re: Rule No. 9 Forced Retirement of an Argyle and Sutherland Highlanders due to age restrictions.

It was moved by Alderman Wilson and seconded by Alderman Haining that Rule No. 9 of the City of Hamilton Procedural By-law be invoked for this meeting in order to permit consideration of a recommendation respecting the forced retirement of an Argyle and Sutherland Highlander due to age restrictions. **CARRIED.**

Resolution Re: Retiring of an Argyle and Sutherland Highlander Officer\Pipe Major

It was moved by Alderman Wilson and seconded by Alderman Haining that Mayor R. Morrow contact the Minister of Defence with respect to considering latitude in the requirement that John Terrence, Chief Warrant Officer\Pipe Major of the Argyle and Sutherland Highlanders 91st Regiment, be retired.

CARRIED.

Resolution Re: Rule No. 9 - Meeting with Mr. D. O'Brien – Provincially appointed mediator

It was moved by Alderman Anderson and seconded by Alderman Kelly that Rule No. 9 be invoked for this meeting of Council in order to permit consideration of a recommendation respecting a meeting with the Provincial appointed advisor for regional reform. **CARRIED.**

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Resolution Re: Meeting with Mr. D. O'Brien – Provincially appointed mediator

It was moved by Alderman Anderson and seconded by Alderman D'Amico that Mayor R. Morrow request a meeting of Council with Mr. Dave O'Brien, the special advisor appointed by the Province, to discuss municipal restructuring. **CARRIED.**

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Rule No. 9 Re: Closing of C.I.B.C. Bank Locations

It was moved by Alderman Caplan and seconded by Alderman Kiss that Rule No. 9 of the City of Hamilton Procedural By-law be waived for this meeting of City Council in order to permit consideration of a recommendation respecting the closing of C.I.B.C. Branch Offices. **CARRIED.**

* * * * *

Resolution Re: Closing of the CIBC Branches – Locke & Herkimer and James and Young Street

It was moved by Alderman Caplan and seconded by Alderman Kiss

- (a) That the Council of the City of Hamilton objects to the closing of the CIBC Branches located at Locke and Herkimer Streets and James and Young Streets; and
- (b) That Mayor R. Morrow inform the Bank of Councils objection.

CARRIED.

ACTING MAYOR FOR THE MONTH OF OCTOBER, 1999

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman D. Wilson be appointed Acting Mayor for the month of October 1999.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Planning and Development Committee, the Finance and Administration Committee, and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:50 o'clock p.m.

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Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz
Municipal Clerk
September 28, 1999
JJS/dg**

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SEVENTEENTH** Report for 1999 and respectfully recommends:

1. **Zoning Application 99-24, by John Bear Pontiac, Buick, Cadillac Ltd., owner, for a further modification to the "G-3" District, modified, for property located at 1200 Upper James Street. (PDC99076)**

That approval be given to Zoning Application 99-24, John Bear, owner, requesting a further modification to the established "G-3" (Public Parking Lots) District, modified to permit two (2) service bays and a mechanical carwash, for the property located at 1200 Upper James Street, as shown on the attached map marked as APPENDIX "A", on the following basis:

- (a) That the "G-3" (Public Parking Lot) District regulations, as contained in Section 13C of Zoning By-law No. 6593, as amended by By-law 79-255, applicable to the subject lands, be further modified to include the following variance as a special provision:
 - (i) That notwithstanding Section 13C.(1), the following uses shall be permitted:
 - (1) an auto repair garage consisting of two (2) bays except paint and autobody repair; and,
 - (2) a mechanical car wash accessory to the existing automobile dealership;
- (b) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-668a, and that the subject lands on Zoning District Map W9B be notated as S-668a; and,
- (c) That Corporate Counsel be authorized and directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W9B for presentation to City Council;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

2. Zoning Application 99-30, by Jo-Ank Associates Ltd. and Tarador Holdings, owners, for modifications in zoning of the "E-2" District for lands located at 24 and 30 Hess Street South. (PDC99074)

That approval be given to Zoning Application ZAC-99-30, by Jo-Ank Associates Ltd. and Tarador Holdings, owners, for a further modification to the established "E-3" (High Density Multiple Dwellings) District to permit an expansion of the existing patio bar and restaurant for lands located at 24 Hess Street South (Block "1"), and to permit a restaurant and patio bar use, for lands located at 30 Hess Street South (Block "2"), as shown on the attached map marked as APPENDIX "B", on the following basis:

- (a) That the "E-3" (High Density Multiple Dwellings) District regulations as contained in Section 11C of Zoning By-law No. 6593 as modified by By-law No. 73-115 and By-law No. 81-28 applicable to Block "1" (24 Hess Street South) be further modified to include the following variances:
 - (i) That notwithstanding Section 1 of By-law No. 73-115, any alteration, extension or enlargement from the southerly side wall and westerly rear wall of the existing building shall be permitted and shall be permitted to be used as a restaurant.
 - (ii) That Section 11C. (2)(b) and (c) of Zoning By-law 6593 shall not apply.
 - (iii) That notwithstanding Section 11C.(3) of Zoning By-law 6593, the lot shall have a minimum lot width of 12.0m and a minimum lot area of 240.3m².
 - (iv) That Section 11C.(5) of Zoning By-law 6593 shall not apply.
 - (v) That Section 18. (3)(vi) of Zoning By-law 6593 shall not apply to the southerly side yard and the westerly rear yard.
 - (vi) That notwithstanding Section 18. (11)(a) and (b) of Zoning By-law 6593, an outdoor patio shall be permitted subject to the following special requirements:
 - 1. No outdoor patio area shall provide for a seating accommodation for more than 142 persons.
 - 2. That an outdoor patio shall be permitted to adjoin the residential district to the southerly and westerly lot lines.

3. That an outdoor patio area may be located on the second floor.
 - (vii) That notwithstanding By-law No. 73-115 as amended by By-law No. 81-28, that Section 2(ii) of By-law No. 81-28 be further modified as follows:
 1. one ground sign and one wall sign or projecting sign shall be permitted and shall have a total area of not greater than 0.8m^2 (8.6 sq. ft.); and
 2. the sign may be illuminated, in a manner which is non-flashing, indirect or internal.
 - (b) That the Corporate Counsel be authorized and directed to prepare a By-law to amend Zoning By-law No. 6593, and Zoning District Map W-4 for presentation to City Council;
 - (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593, and that the subject lands on Zoning District Map W-4 be noted as S-262b; and,
 - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
3. **Zoning Application 99-29 and Proposed Draft Plan of Subdivision SAR-99-01 "Sherman Meadows", by Harp Homes Building Corporation, owner, for a change in zoning from "AA" District to "C" District for property located at the rear of 1515 and 1519 Upper Sherman Avenue. (PDC99077)**
- A.(a) That approval be given to Subdivision Application 99-01 (Regional File No. 25T-99006), Harp Homes Building Corporation, prospective owner, to establish a draft plan of subdivision "Sherman Meadows" on lands located at the rear of 1515 and 1519 Upper Sherman Avenue, in the Eleanor Neighbourhood, as shown on the attached map marked as APPENDIX "C" subject to the following conditions:
- (i) That this approval apply to the plan as revised in red, prepared by Urbex Engineering Limited and certified by B.A. Jacobs, O.L.S., dated May 27, 1999, showing 18 lots for single detached dwellings, 12 Blocks to be developed in conjunction with adjacent lands for single family dwellings (Blocks 19-30), one (1) block for a 0.3 m reserve (Block 31),

and two (2) streets identified as Street "A" and Street "B", attached as APPENDIX "D";

- (ii) That the Owner establish Streets "A" & "B" to their full width and that these lands be conveyed to the City of Hamilton;
- (iii) That the Owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes;
- (iv) That Streets "A" and "B" be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth;
- (v) That the owner prepare and submit, to the satisfaction of the Director, Land Development Department, Community Planning and Development Division, a municipal street numbering plan;
- (vi) That the final plan conform with the Zoning By-law approved under the Planning Act;
- (vii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the gross area of the subdivision in the final plan;
- (viii) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority;
- (ix) That the owner shall erect a sign in accordance with Section XI of the subsequent agreement, prior to the issuance of a final release by the City of Hamilton;
- (x) The owner must enter into a subdivision agreement with the City of Hamilton prior to the development of any portion of these lands;
- (xi) That a 0.3 m reserve (Block 31) be established along the front of Lots 3 and 4 and the the owner agree in writing to declare Lots 3 and 4 unsuitable for building purposes until such time as the existing dwelling known as 1515 Upper Sherman Avenue has been demolished to the satisfaction of the Building Commissioner;

- (xii) That the applicant/owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton prior to development of any portion of these lands;
 - (xiii) That Blocks 19-30 inclusive, be developed in conjunction with adjacent lands;
 - (xiv) That Lots 3 to 18, inclusive, Blocks 19 to 29, inclusive not be allowed to develop until such time as Public Highways have been established by By-law to provide direct access to these lands;
 - (xv) That Lots 3 to 18, inclusive, Blocks 19 to 29, inclusive not be allowed to develop until such time as full municipal services are available to service these lands directly;
 - (xvi) That Eaglewood Drive must align centreline to centreline with Eaglewood Drive to the north as shown on Reference Plan 62R-15032;
 - (xvii) That the applicant/owner identify by survey the location of the mid-block collector street to Upper Sherman Avenue with the proposed mid-block collector street on the west side of Upper Sherman Avenue to the satisfaction of the City and the Region prior to the development of any portion of these lands;
 - (xviii) That no more than 100 units are developed on a temporary basis with only one access from Upper Sherman Avenue. A second access may be required in order to service all lots and blocks for this development;
- (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton with respect to this application (25T-9006), Harp Homes Building Corporation, prospective owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council;
- (c) That the Municipal Clerk be directed to advise the Director, Land Development Department, Community Planning and Development Division of Council's decision;

B. That approval be given to Zoning Application 99-29, Harp Homes Building Corporation, prospective owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for property at the rear of 1515 and 1519 Upper Sherman Avenue, as shown on the attached map marked as APPENDIX "C", on the following basis:

- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the Director, Land Development Department, Community Planning and Development Division be authorized and directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-38D for presentation to City Council;
- (c) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

4. Zoning Application 99-27, by Harry & Helen Bazuin and Gordon & Esther Pauls, owners, for a change in zoning from "AA" District to "C" District for lands located at 1423-1431 Upper Wellington Street (PDC99069)

That approval be given to Zoning Application ZAR-99-27, by Harry & Helen Bazuin and Gordon & Esther Pauls, owners, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit the development of a single family dwelling, for lands located at 1423-1431 Upper Wellington Street, as shown on the attached map marked as APPENDIX "E", on the following basis:

- (a) That the lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the General Manager, Community Planning and Development Division be authorized and directed to prepare a By-law, in a form satisfactory to the Corporate Counsel, to amend Zoning By-law No. 6593, and Zoning District Map E-18C for presentation to City Council;
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,

- (c) That upon approval of the Zoning By-law Amendment, the Crerar Neighbourhood Plan be amended by redesignating the subject lands from "Institutional & Special Housing" to "Single & Double Residential".

5. The King Street West Community Improvement Plan to Authorize the Implementation of the Commercial Property Improvement Loan Program (PWT99039)

- (a) That the King Street West Community Improvement Plan attached to this report as Appendix 'F' be adopted in order to implement the Commercial Property Improvement Loan Program within the King Street West Community Improvement Project Area;
- (b) That the appropriate by-law be passed and enacted by Council to adopt the King Street West Community Improvement Plan to authorize the implementation of the "Commercial Property Improvement Loan Program" within the King Street West Community Improvement Project Area;
- (c) That (a) and (b) above be submitted to the Minister of Municipal Affairs and Housing for approval.

6. Condominium Application 99-01, "Parktown Condominiums", by Crystal Homes Limited, for approval of a Draft Plan of Condominium for lands located at 565 Rymal Road East. (PDC99078)

- (a) That approval be given to Condominium Application CDM-99-01 (Regional File No. 25CDM-99005) "Parktown Condominium", Crystal Homes (The Park) Corporation (c/o K. DiSilvestro, president), owner, to establish a draft plan of condominium to be developed in two phases for a total of 54 townhouse units, known municipally as 565 Rymal Road East, as shown on the attached map marked as APPENDIX "G", subject to the following conditions:
 - (i) That this approval apply to the plan prepared by Urbex Engineering Limited and certified by J.P. Nouwens, O.L.S., dated June 2, 1999, showing a total of 54 townhouse units to be developed in two phases (27 units in Phase 1 and 27 units in phase 2);
 - (ii) That the final plan of condominium comply, in all respects, with the approved Site Plan (DA-98-12);

- (iii) That the applicant satisfy all conditions of site plan approval applicable to the subject lands to the satisfaction of the City of Hamilton, prior to registration of the Final Plan of Condominium;
- (iv) That the Final Plan of Condominium comply with all of the applicable provisions of the City of Hamilton Zoning By-law No. 6593, subject to the applicant applying for and receiving final approval from the Committee of Adjustment for the following variances:
 - 1. to permit a parcel of land, shown as Phase 2, to be created without any direct frontage onto a public highway;
 - 2. to exempt the subject lands from providing a 1.5 m wide planting strip and visual barrier between the parking area on Phase 2 and the lot line of Phase 1;
 - 3. to permit a setback of 1.75 m from a lot line, for the units shown as Blocks C and B on Phase 1 and Block F on Phase 2 whereas the provisions of the Zoning By-law requires 3.0 m;
 - 4. to permit Block J on Phase 2 to be setback 5.5 m from the lot line whereas the provisions of the Zoning By-law require 6.0 m;
- (v) That the applicant apply for, and receive approval from, the Committee of Adjustment for a right-of-way over the lands shown as Phase 1 in favour of Phase 2 to provide for access to Phase 2 from Rymal Road East;
- (vi) That the following warning clause be registered on title for all units within the development, to the satisfaction of the Director, Development Division and Corporate Counsel:

"Purchasers are advised that on-site garbage pick up for each unit by the City of Hamilton will not be available for this site."
- (vii) That the Condominium Corporation be required to enter into and register on title the Agreement of the Condominium Corporation to assume and be bound by the Site Plan Agreement; and,

- (viii) That the owner satisfy all conditions, financial or otherwise, of the City of Hamilton.
- (b) That the Municipal Clerk be directed to advise the Director, Land Development, Community Planning and Development Division of Council's decision.

7. 404 Jackson Street West – Demolition (PDC99082)

- (a) That subject to subsection (b) below, the Building Commissioner be authorized to deny an application for a demolition permit for the building located at 404 Jackson Street West, in accordance with Demolition Control By-Law 74-290 pursuant to the demolition control provisions of the Planning Act (sec.33); and,
- (b) That the Building Commissioner be authorized to issue a demolition permit for the building located at 404 Jackson Street West subject to the following conditions:
 - (i) the applicant has applied for and received a building permit for a replacement building on this property; and,
 - (ii) the said building permit specifies that replacement building be erected within two years of the demolition of the existing building on this property; and,
 - (iii) the said building permit for the replacement building specifies if such replacement building is not erected within the said two year time limit, that the City be paid the sum of \$20,000; and,
 - (iv) the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions (including the directions to the Municipal Clerk listed below) in a form satisfactory to the Building Commissioner and Corporate Counsel; and,
 - (v) if the said replacement building is not erected as required, the Municipal Clerk be authorized to add the said sum to the collector's roll, which sum shall remain a lien upon the property until paid.

8. 20 Adair Avenue South – Demolition (PDC99081)

That the Building Commissioner be authorized to issue a demolition permit for 20 Adair Avenue South in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

9. 3 Dexter Avenue - Demolition (PDC99083)

That the Building Commissioner be authorized to issue a demolition permit for 3 Dexter Avenue in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

10. Heritage Permit – Erection of a Pier for a Commemorative Plaque in the St. Clair Avenue and St. Clair Boulevard Heritage Conservation Districts (PDC99095)

- (a) That a Heritage Permit be approved for the erection of a brick pier to hold a Commemorative Plaque for the St. Clair Avenue and St. Clair Boulevard Heritage Conservation Districts, on the north island park within the road allowance of the St. Clair Boulevard, as shown on the drawings attached hereto and marked as Appendix "H"; and,
- (b) That the St. Clair Avenue and St. Clair Boulevard Heritage Districts be permitted to erect the brick pier and plaque within the park; and,
- (c) That upon the completion of the construction to the satisfaction of the Public Works and Traffic Department, the pier and plaque be assumed by the City for liability and maintenance purposes.

11. Heritage Permit – CN Station (PDC99094)

That a Heritage Permit be approved for the following alterations to the CN Station, 360 James Street North, to be converted to a banquet and training facility for the new owner, the Laborers' International Union of North America:

- (a) extension of the stone landing in front of the main entrance (new limestone to match existing as closely as possible) and, the installation of two ramps and railings for barrier-free access (parallel to the façade); and,
- (b) removal of the rear exterior ramp and stair enclosures attached to the concourse with the steel stairs and structures of the ramp/stair wells remaining in the areas not damaged by fire, and, the removal of the lower section of the partially surviving ramp at the north-east corner of concourse (east of the existing stairway); and,
- (c) exterior alteration on the east façade to allow for the construction of a service ramp from the new kitchen to the main floor of the concourse; and,
- (d) removal and replacement of all exterior windows with new windows to replicate the appearance of the original ones; and,
- (e) removal of the baggage counters and marble cladding from the east wall of the lobby to be replaced with ornamental metal doors to the corridor and elevator entrance; and,
- (f) covering of the glazed brick masonry interior walls of the concourse with drywall, and, covering of the plaster ceiling with fire retardant fabric.

12. Authorization to attend Making Cities Livable Conference, Nov.1-5, 1999

That the Chairman or his designate be authorized to attend the Making Cities Livable Conference to be held on Carmel, California November 1 to 5, 1999 and that all costs be charged to Account No. 56325-300120.

13. Declaration of Surplus Property- 344 Ferguson Avenue North

- (a) That staff be directed in accordance with the City's Real Estate Property Sales Procedural By-law No. 95-049, to commence immediate internal circularization of 344 Ferguson Avenue North and cause a report to be brought back to Council with respect to having the property declared surplus to the requirements of the City; and,

- (b) That subsequent to City Council declaring the property surplus, the City's Real Estate Supervisor be directed to carry out the required public notice of the intended sale.

14. Acquisition of Auchmar Land In Exchange for City's Albion Mills Estate Property (PDC99098)

- (a) That pursuant to the City sale of the Albion Mills property (Item 25, 15th Report, Planning & Development Committee approved by City Council on August 11, 1999) and in accordance with the Municipal Act and the Real Property Sales Procedural By-law No. 95-049, the Municipal Clerk be authorized and directed to issue the required Certificate of Compliance, incorporating the following:
 - (i) this property was declared surplus by resolution passed on 1999 August 11, item 25, 15th Report, Planning and Development Committee ,
 - (ii) public notice of intent to sell this property was given by a sign posted on the property on September 3, 1999,
 - (iii) an appraisal of the fair market value of this property was obtained on July 22, 1999,
- (b) That the Agreements of Purchase and Sale authorized as Item 25 of the 15th Report of the Planning and Development Committee approved by City Council at its meeting on August 11, 1999, shall provide that the value of each property being exchanged be set at (\$2,000,000.00) Two Million Dollars;
- (c) That prior to the City's sale of the Albion Mills Estate subdivision site, the City shall grant an easement for \$1.00 to the Region for a temporary detour of Mount Albion Road during construction of the Red Hill Creek Expressway. Such easement shall be located within a portion of proposed Lot 17 and within the North/South portion of Street "A", as illustrated on draft Albion Mills Estate subdivision plan 25T-97013. Such easement shall continue until such time as the Region, in its discretion, decides such easement is no longer required and the Region releases the subject land from the easement;

- (d) That in accordance with the Municipal Act and the Real Property Sales Procedural By-law No. 95-049, the Municipal Clerk be authorized and directed to issue the required Certificate of Compliance for the sale of the said easement, incorporating the following:
 - (i) this property was declared surplus by resolution passed on August 11, 1999 item 25, 15th Report, Planning and Development Committee ,
 - (ii) public notice of intent to sell this property was given by a sign posted on the property on September 3, 1999,
 - (iii) the sale of this easement is exempt from an appraisal by Provincial regulation;
- (e) That the re-sale of the 3.55 acre portion of the Auchmar property by the City to 1333786 Ontario Limited for (\$1,000,000.00) One Million dollars, scheduled to close on or before June 21, 2000, is conditional upon 1333786 Ontario Limited taking title subject to a heritage easement on the subject lands;
- (f) That for the purposes of re-sale of the 3.55 acre portion of the Auchmar property by the City, the General Manager, Community Planning & Development, be authorized and directed to report back to Council for purposes of the City's required Certificate of Compliance, and in accordance with the Municipal Act and the Real Property Sales Procedural By-law;
- (g) That a Heritage Easement for the Auchmar property be established in favour of the City or the Ontario Heritage Foundation on or prior to the City's re-sale of any portion of the Auchmar property, which easement shall be registered on closing or immediately thereafter;
- (h) That City officials be authorized directed to execute an Amending Agreement of the Agreement of Purchase and Sale (which agreement is attached to this report) between 1333786 Ontario Ltd., and the DeSantis group whereby 1333786 Ontario Ltd., agrees to take title subject to heritage restrictions/easements;
- (i) That the General Manager, Community Planning & Development be authorized and directed to investigate and formulate a long term strategic plan for the preservation and use of the Auchmar property, in consultation with members of the public, LACAC, the current

tenant, and any other interested parties, and to report back to Council;

- (j) That the Mayor and Municipal Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the Director of Legal Services.

15. Authorization to Appeal OMB Decision\Order Re: Rental Housing in Official Plans

That Corporate Counsel be authorized to initiate appeal proceedings in regard to Ontario Municipal Board Decision/Order No. 1750 respecting the ability of municipalities to regulate rental housing in Official Plans.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS Alderman Eisenberger. -1.

CARRIED.

16. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) C-53 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at Municipal Nos. 54 and 56 Alanson Street.
- (b) C-54 A By-law to Adopt Official Plan Amendment No. 162 Respecting Lands located at Municipal Nos. 505 to 537 Queenston Road within the Kentley Neighbourhood.
- (c) C-55 A By-law to Amend Zoning By-law No. 6593 Respecting Lands located at the North West Corner of Rymal Road East and Upper Wellington Street, And Fronting onto the Future Extension of Marilyn Court.
- (d) C-56 A By-law to Amend Zoning By-law No. 6593 Respecting Lands located North of Rymal Road East, Fronting onto Eaglewood Drive.

September 28, 1999

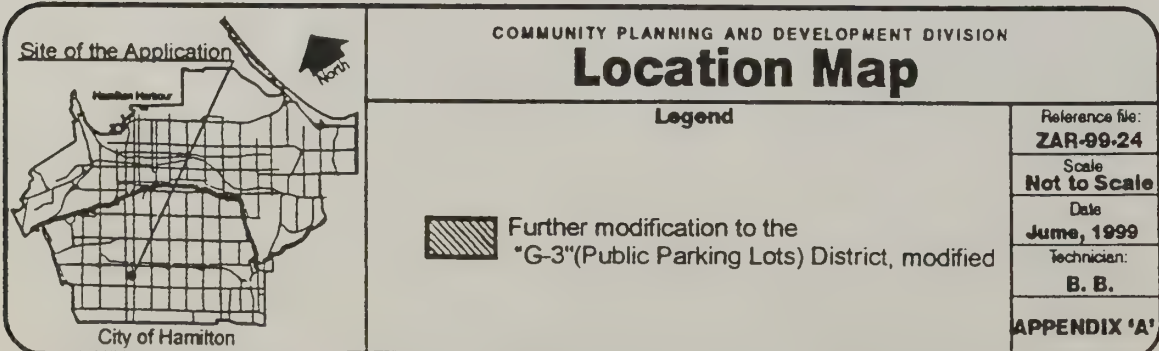
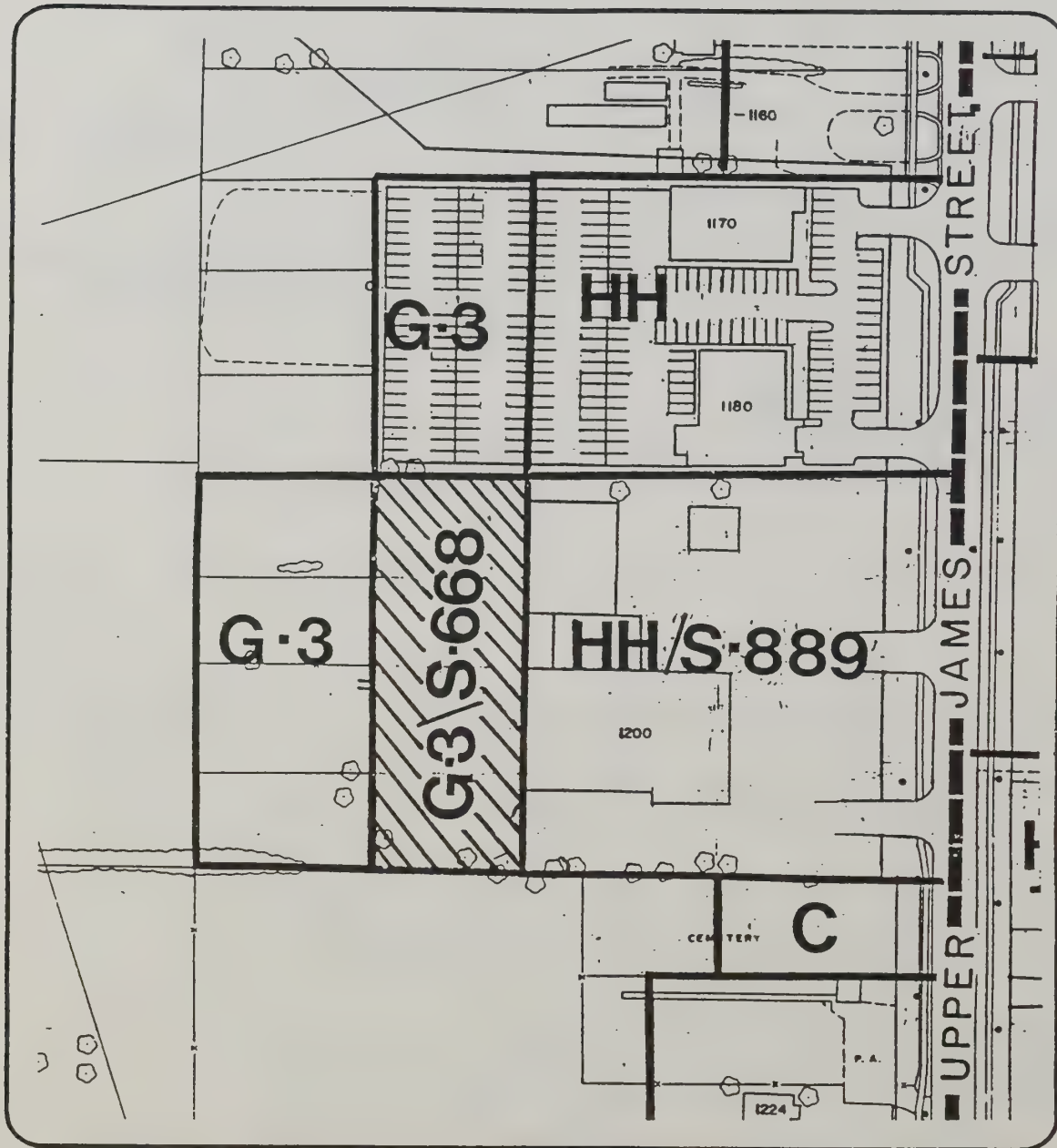
- (e) C-57 A By-law to Adopt the King Street West Community Improvement Plan.

Respectfully submitted,

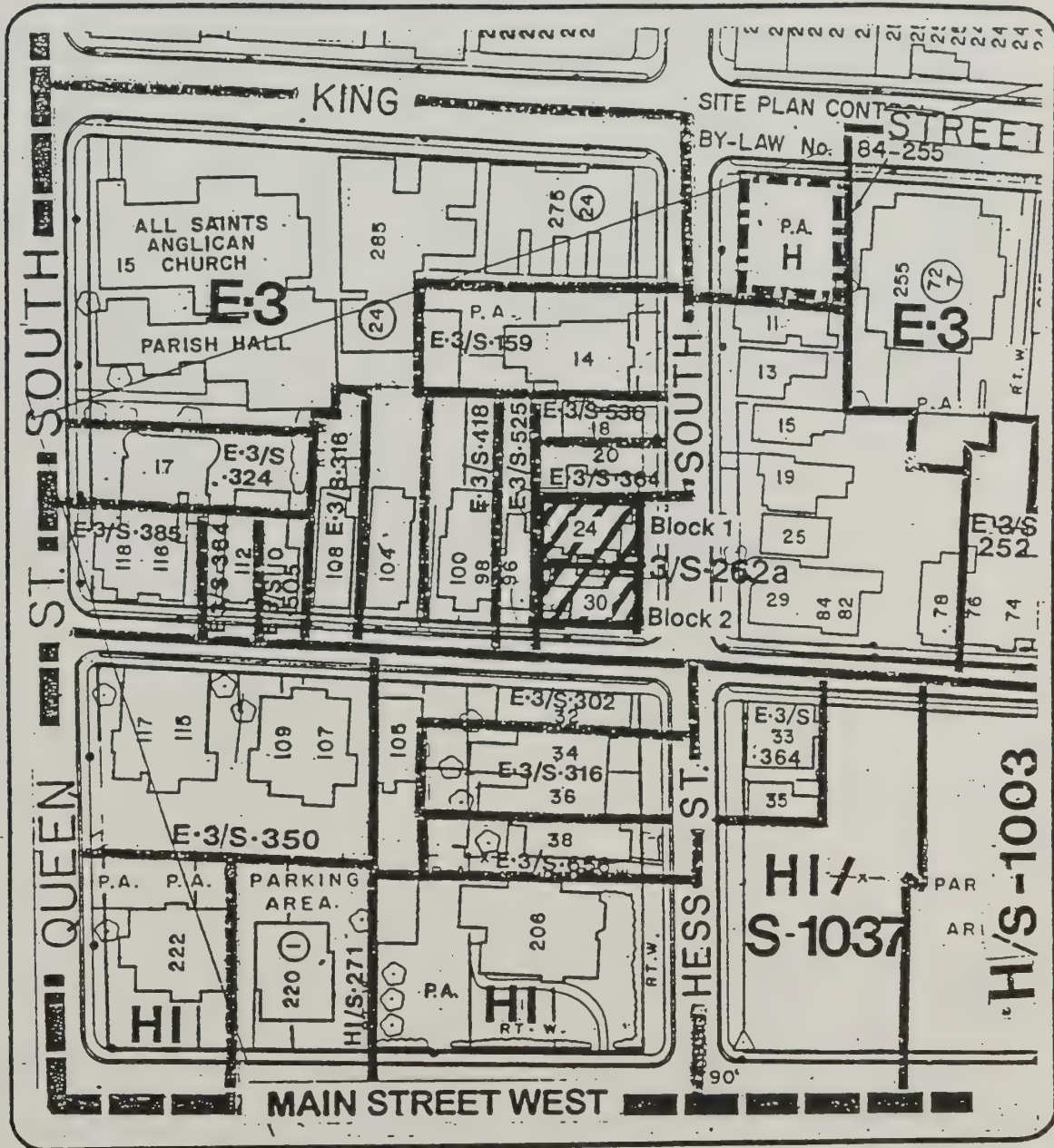
**ALDERMAN F. D'AMICO, CHAIRMAN,
PLANNING AND DEVELOPMENT
COMMITTEE**

**Tina Agnello, Secretary
September 22, 1999**

Appendix "A" referred to
In Section 1 of the Seventeenth
Report of the Planning and
Development Committee for 1999



Appendix "B" referred to in
Section 2 of the Seventeenth
Report of the Planning and
Development Committee for 1999



Site of the Application



City of Hamilton

COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map



Site of the Application

Reference File:

ZAC-99-50

Scale

Not to Scale

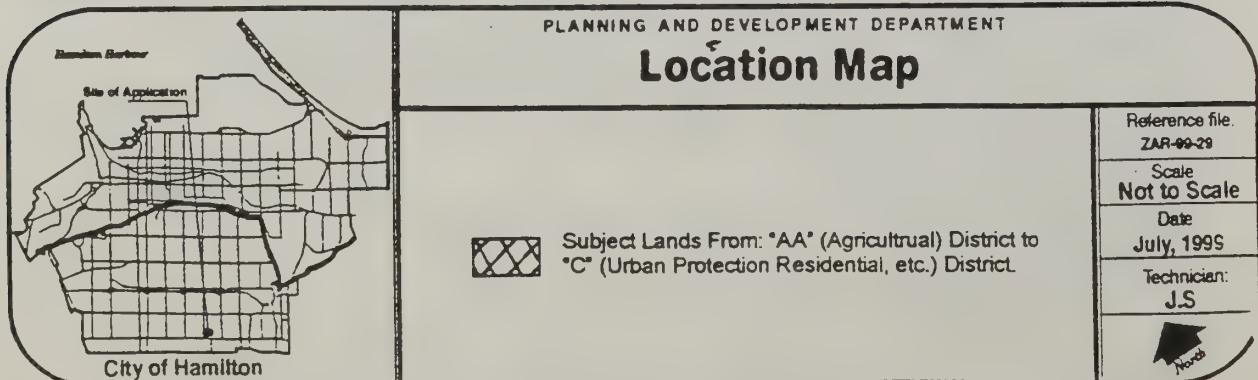
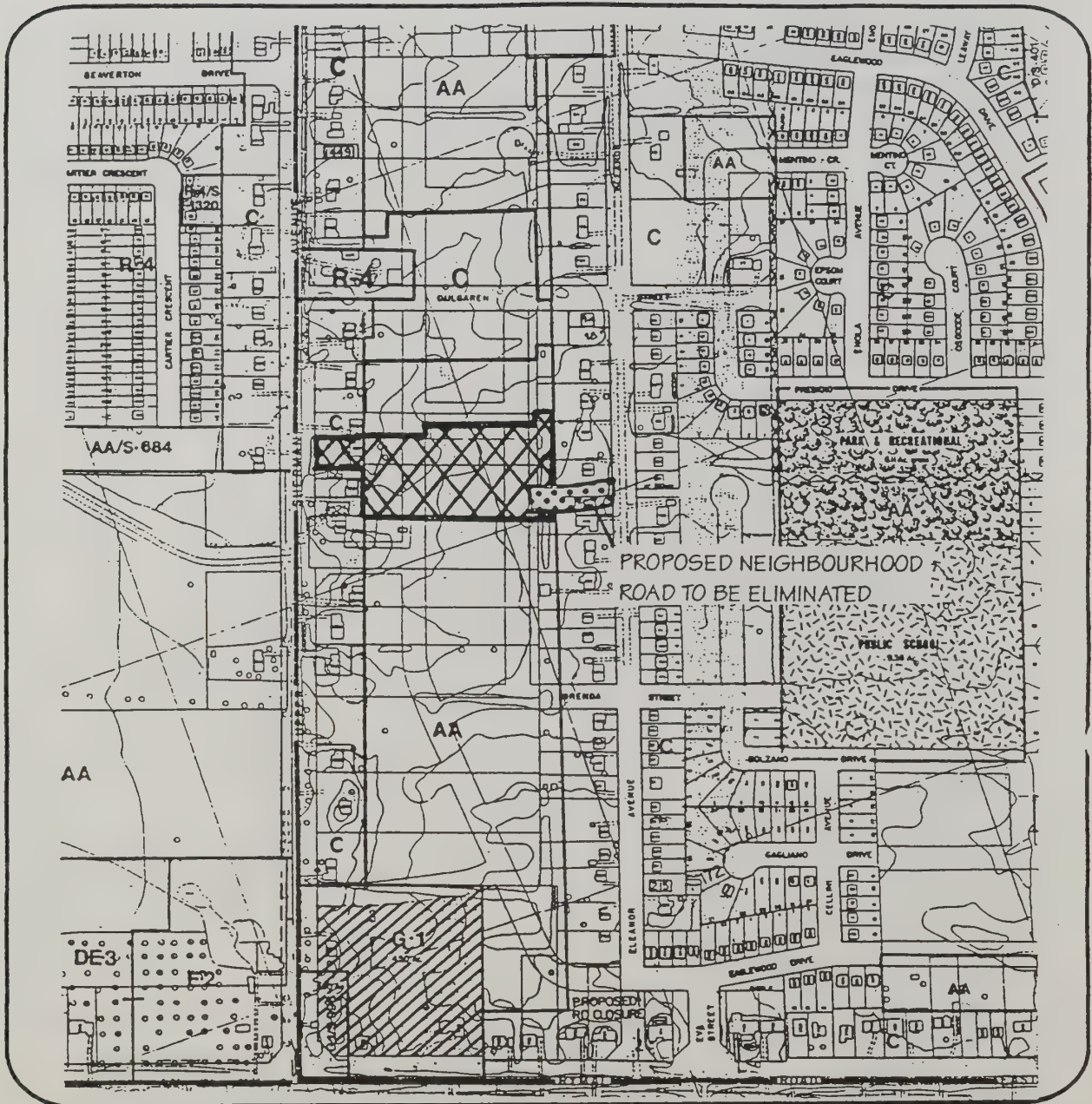
Date

July, 1999

Technician:

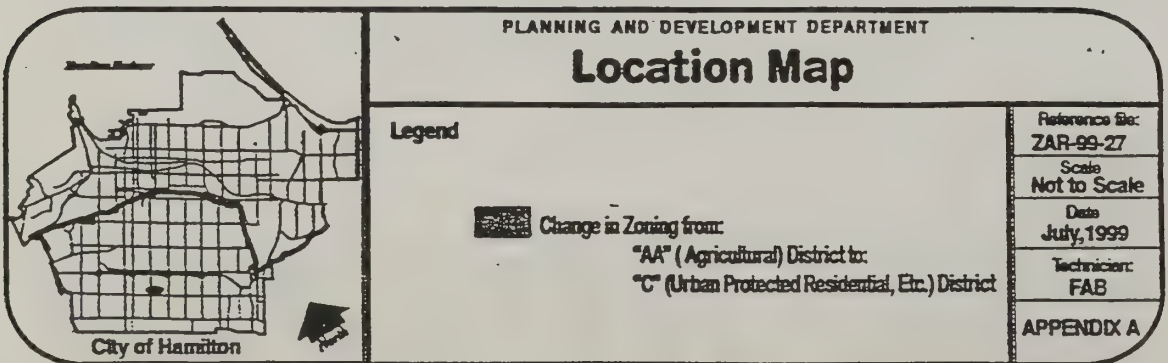
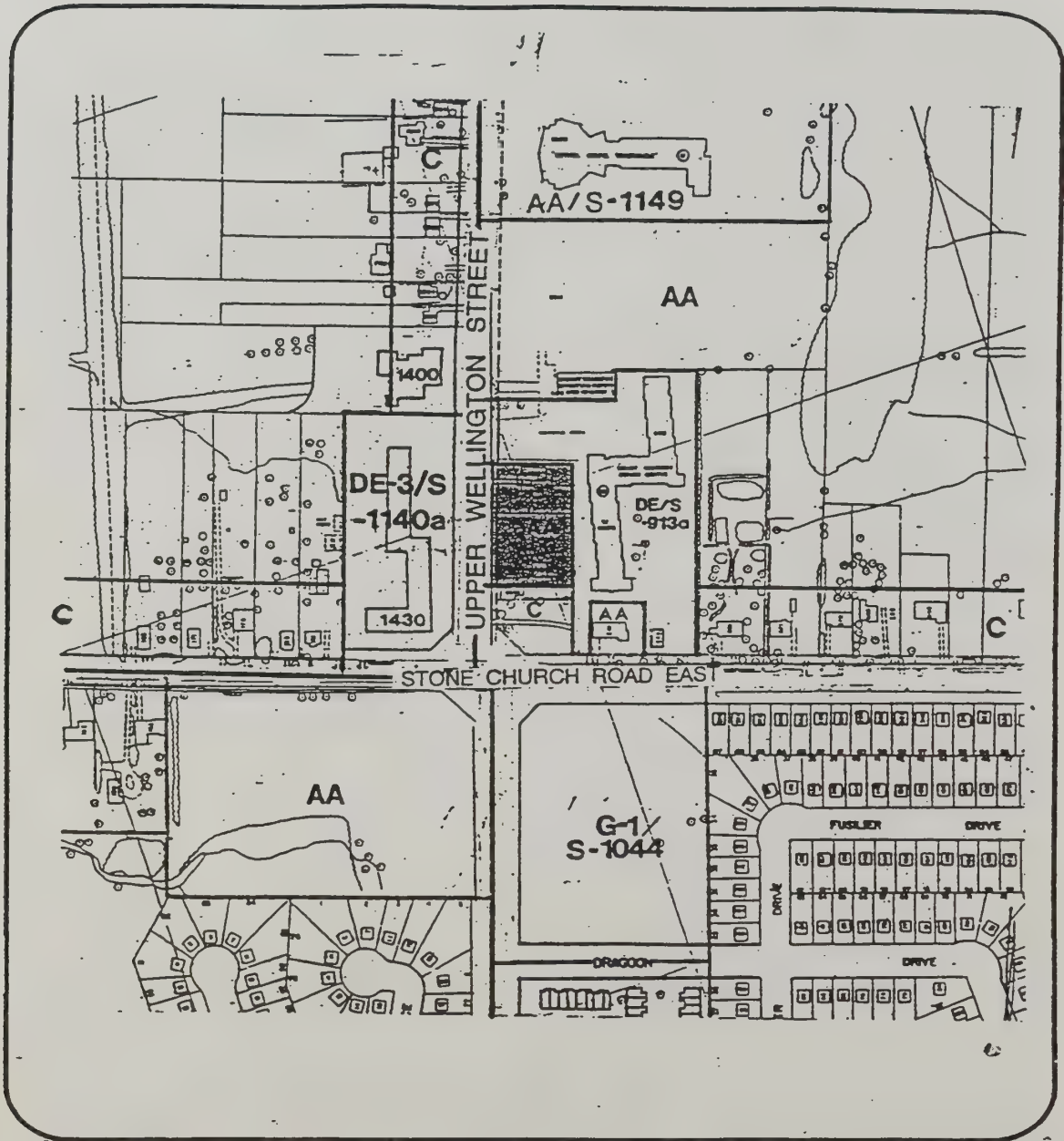
J.S.

APPENDIX 'A'





Appendix "E" referred to in
Section 4 of the Seventeenth
Report of the Planning and
Development Committee for 1999



September 28, 1999

Appendix "F" referred to
In Section 5 of the Seventeenth
Report of the Planning and
Development Committee for 1999

***THE KING STREET WEST
COMMUNITY IMPROVEMENT PLAN***

1999 JULY

**THE KING STREET WEST
COMMUNITY IMPROVEMENT PLAN
FOR THE KING STREET WEST
COMMUNITY IMPROVEMENT PROJECT AREA**

PURPOSE:

This Community Improvement Plan is intended to apply to the King Street West Community Improvement Project Area as shown in Schedule 'A'.

Rather than being focussed on large-scale redevelopment, this Community Improvement Plan focuses on rehabilitation and the updating of existing facades and interiors of commercial buildings within the King Street West Community Improvement Project Area.

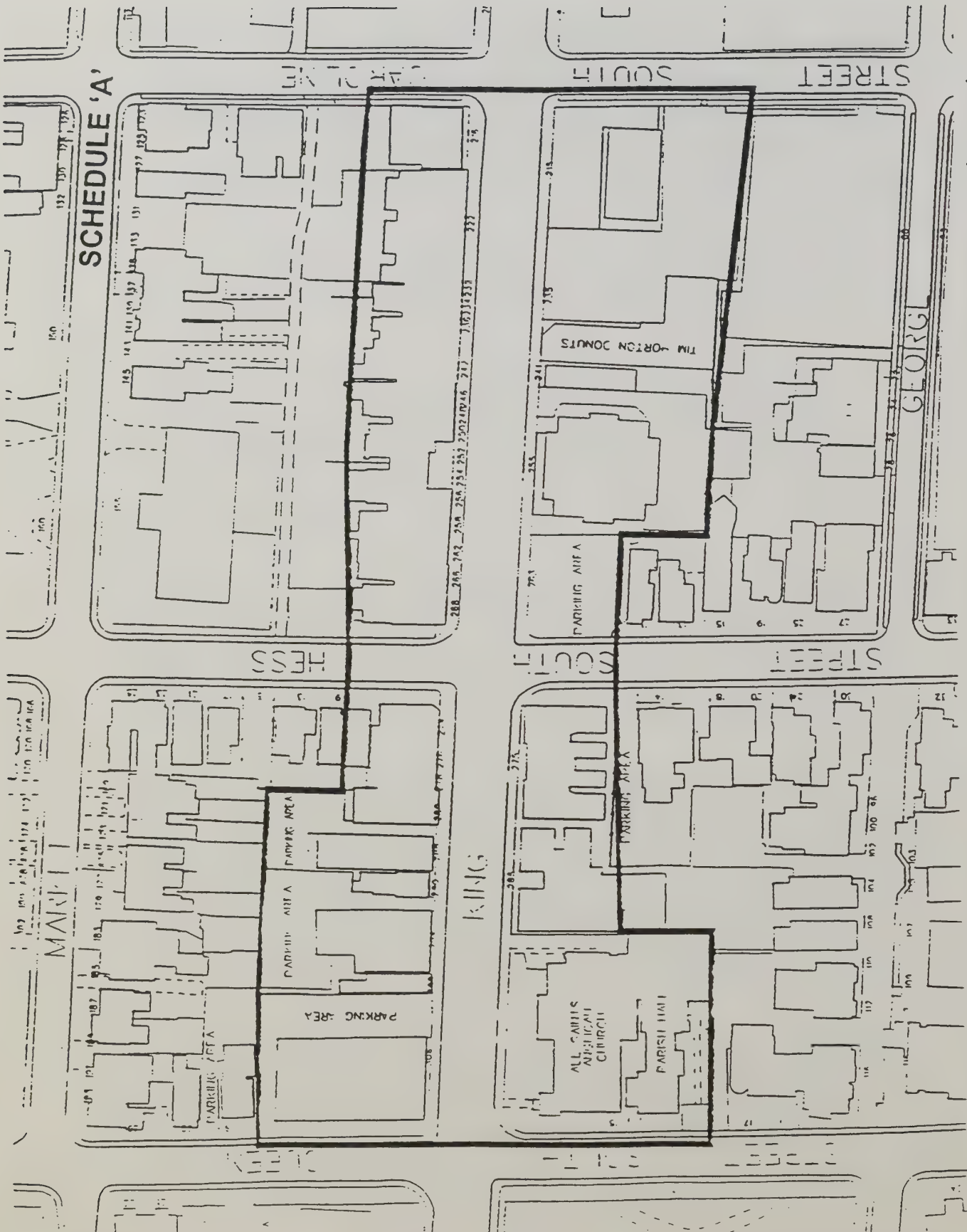
INTRODUCTION:

The King Street West Community Improvement Project Area falls within the Central Policy Area as per the City of Hamilton's Official Plan. Accordingly, the area is to be promoted as a multi-use node by creating an attractive environment in which to live, work, do business, shop or visit. King Street West is a major commercial area within the Central Policy Area.

As part of the City of Hamilton's Downtown Hamilton Improvement Plan, improvements to the streetscape are planned for King Street West. Improvements identified include, but are not limited to, the reconstruction of sidewalks incorporating urban braille, new heritage style lights and poles, planting of flower beds and trees, street furniture, banners and street blades. The City's commitment to re-invest in King Street West is intended to act as a catalyst to foster greater awareness, activity and pride.

Streetscape improvements need to be augmented by corresponding visual improvements to the surrounding built environment. The visual appearance can be enhanced through the upgrading of existing building fronts and interiors of commercial buildings.

To encourage individual owners of buildings to renovate, loans are available from the Municipality under this Plan through the Commercial Property Improvement Loan Program in accordance with the guidelines attached as Schedule 'B'. This program demonstrates the City's leadership in a joint public-private funding approach to improving the environment within the King Street West Community Improvement Project Area.



KING ST. W. COMMUNITY IMPROVEMENT PROJECT AREA

SCHEDULE 'B'

**COMMERCIAL PROPERTY IMPROVEMENT LOAN PROGRAM
PROPERTY OWNER GUIDELINES**

1. Upon receipt of a satisfactory application which meets the criteria of the loan program, including the criteria set out herein, loans may be made by the City for a term not exceeding ten (10) years, at the interest rate charged on tax arrears by the City pursuant to By-law No. 94-189. If the borrower makes all the required payments of the loan, the City agrees to forgive the interest portion of the loan. If the borrower does not make all of the payments of the principal portion of the loan, the tax arrears interest rate, as specified by By-law No. 94-189, will accrue on the principal amount outstanding from the date of the payment default.
2. Repayment of the loans shall be monthly but open to full repayment at any time without notice or penalty.
3. These loans are solely intended for the owners of lands within the said designated Community Improvement Project Area where the owners' lands are used for non-residential commercial purposes which, in the opinion of the City,
 - (a) are intended for the eligible improvements and expenses contemplated in the corresponding Plan.
 - (b) fulfil the objectives of the City expressed in the corresponding Plan.
 - (c) meet the security/equity and other requirements of the City's loan program including the requirements specified herein.
4. Loans may be made to an owner of a non-residential commercial property not exceeding the sum of \$15,000 in respect of the cost of eligible façade and exterior renovations to

each separate location of the owner's property specially assessed or specially assessable for a levy payable to the Board of Management of the respective Business Improvement Area. These loans are subject to a maximum limit of \$45,000 (3 units, \$15,000 each) for each deeded property of the owner per twelve month period from the date of Council approval of the last previous loan(s).

5. Loans may be made to an owner of a non-residential commercial property not exceeding the sum of \$10,000 in respect of the cost of eligible interior improvements to each separate location of the owner or of a tenant under lease from the owner, specially assessed or specially assessable for a levy payable to the Board of Management of the respective Business Improvement Area, subject to,
 - (a) a loan maximum of \$30,000 for each deeded property of the owner per twelve month period from the date of Council approval of the last previous loan(s); and,
 - (b) the tenant, if any, accepting in writing the proposed interior improvements.
6. Loans may be for the following types of improvements and their related expenses:
 - exterior building envelope
 - major building systems, including roof, wiring, plumbing, heating
 - interior fixtures, including partitions
 - interior decorating, including lighting, painting, wallpaper, etc.
 - built-in showcases, freezers, special plumbing, etc.
 - exterior/interior signage
 - related professional fees (architects, engineers, appraisers, lawyers etc.) and application fee of the greater of 1.5% of the loan or \$200
 - such other loan program administrative fees fixed by Council from time to time

Loans shall be advanced only in respect of completed work that has been inspected by the City.

Loans may not be made for expenses such as chattels, (such as tables, chairs, cash registers) nor shall loans be made for rental/owner occupied residential accommodation.

7. The building envelope, including exterior shell (foundation, exterior walls, roof, fire escapes, chimneys) and major systems, shall be inspected by the Building Department. Before a loan is advanced for façade improvements (storefronts, aesthetics, signage etc.), deficiencies shall be repaired and qualify for a loan.
8. The owner will obtain two estimates for all eligible improvements after the City's inspection of the building. Where an owner personally carries out the work, only the cost of materials is eligible for a loan, upon receipt of invoices.
9. A report of the Social and Public Health Services Division, Housing and Shelter Branch, on each loan will be made to the Planning and Development Committee and Council for approval. The recommendation of the Board of Management of the local B.I.A. will be received in respect of the exterior improvement portion of the loan applications.
10. (A) Each borrower shall give the City a promissory note in respect of each loan;
(B) As security for repayment of the loan made by the City, the borrower shall:
 - (i) where the borrower is a limited company, provide the City with the personal guarantee of at least the majority of the owner(s) of the shares, together with documents satisfactory to the City confirming the authorization of the corporate borrower to borrow the loan and give the loan security to the City;
 - (ii) consent to a City Lien being registered on title to the property being improved in which the property

owner must have at least 25% equity, after covering outstanding property encumbrances, not including the amount of the City's loan;

- (iii) where an owner has less than 25% equity in the property being improved:
 - (1) the owner may grant the City a collateral mortgage in other property that meets the City's equity requirements, provided the owner's lawyer prepares and certifies to the City, at the owner's expense, the collateral mortgage in a form satisfactory to the City Solicitor;
 - (2) the owner may provide the City with a guarantee from another person, provided the guarantee is secured by a mortgage on the Guarantor's property that meets the City's equity requirements and the Guarantor's lawyer prepares and certifies the guarantee and the collateral mortgage to the City, at the owner's expense, in a form satisfactory to the City Solicitor;

(iv) keep in good standing all realty taxes and B.I.A. levies.

- 10. Upon sale of the property improved by the loan, the loan/lien is due and payable in full to the City unless the new owner of the property meets the lending criteria and assumes the original terms and conditions of the loan.

Upon sale of a property which secures by a collateral mortgage repayment of a loan, the loan is due and payable in full to the City.

TENANT LOAN GUIDELINES

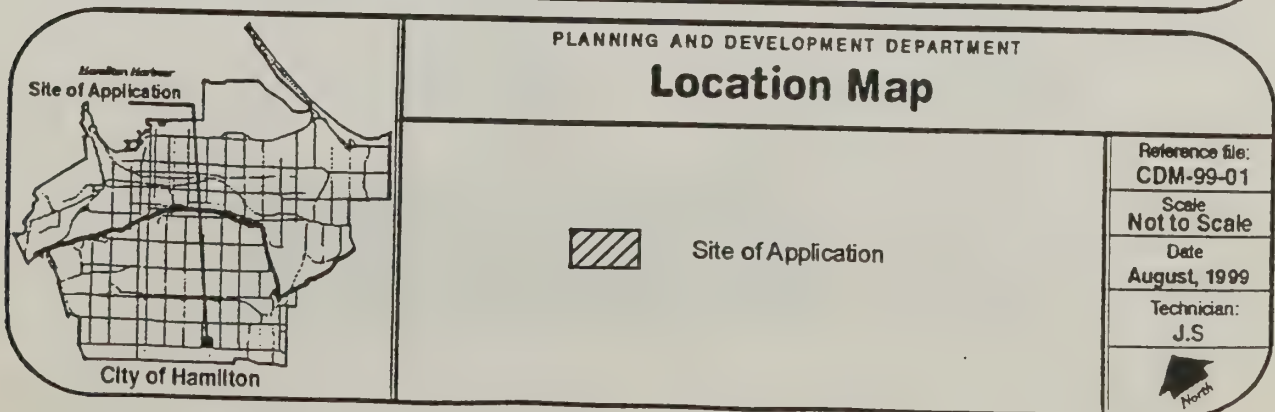
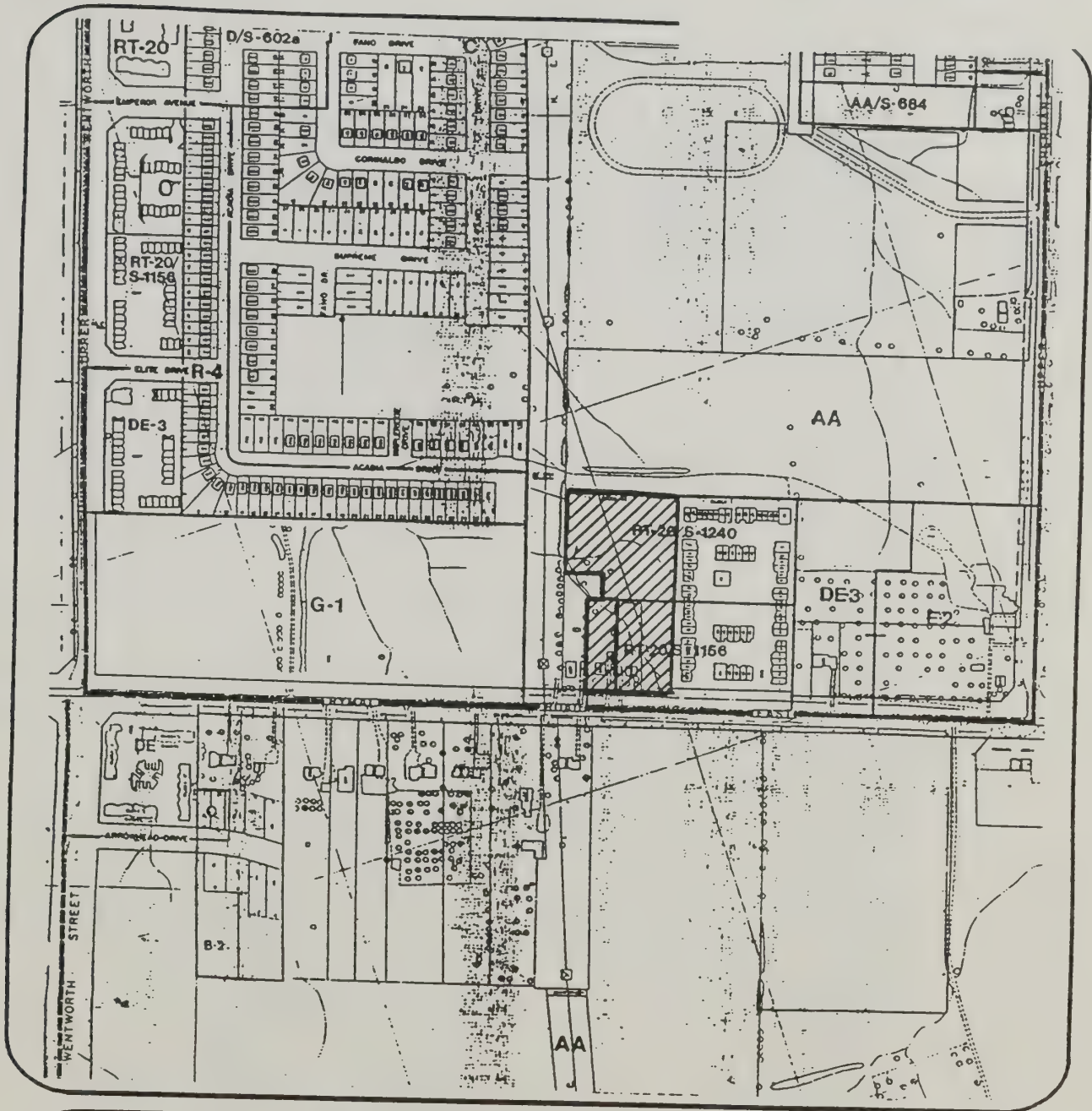
11. The following guidelines apply to loans from The Corporation of the City of Hamilton to commercial tenants located within a Community Improvement Project Area. To be eligible for a loan the tenant must be located in a building that is in a Business Improvement Area and the property occupied by the tenant must be specially assessed or specially assessable for a levy payable to the Board of Management of the respective Business Improvement Area.
12. Upon receipt of a satisfactory application to the City which meets the criteria of the loan program, including the criteria set out herein, loans may be made by the City for a term not exceeding ten (10) years, at the interest rate charged on tax arrears by the City pursuant to By-law No. 94-189. If the borrower makes all the required payments of the loan, the City agrees to forgive the interest portion of the loan. If the borrower does not make all of the payments of the principal portion of the loan, the tax arrears interest rate, as specified by By-law No. 94-189, will accrue on the principal amount outstanding from the date of the payment default.
13. Repayment of loans shall be monthly but open to full repayment at any time without notice of penalty.
14. These loans are solely intended for the tenants who operate a business within the designated Community Improvement Project Area where the owner's lands are used for non-residential and commercial purposes which, in the opinion of the City,
 - (a) are intended for the eligible improvements and expenses contemplated in the Community Improvement Plan;
 - (b) fulfil the objectives of the City expressed in the Community Improvement Plan;

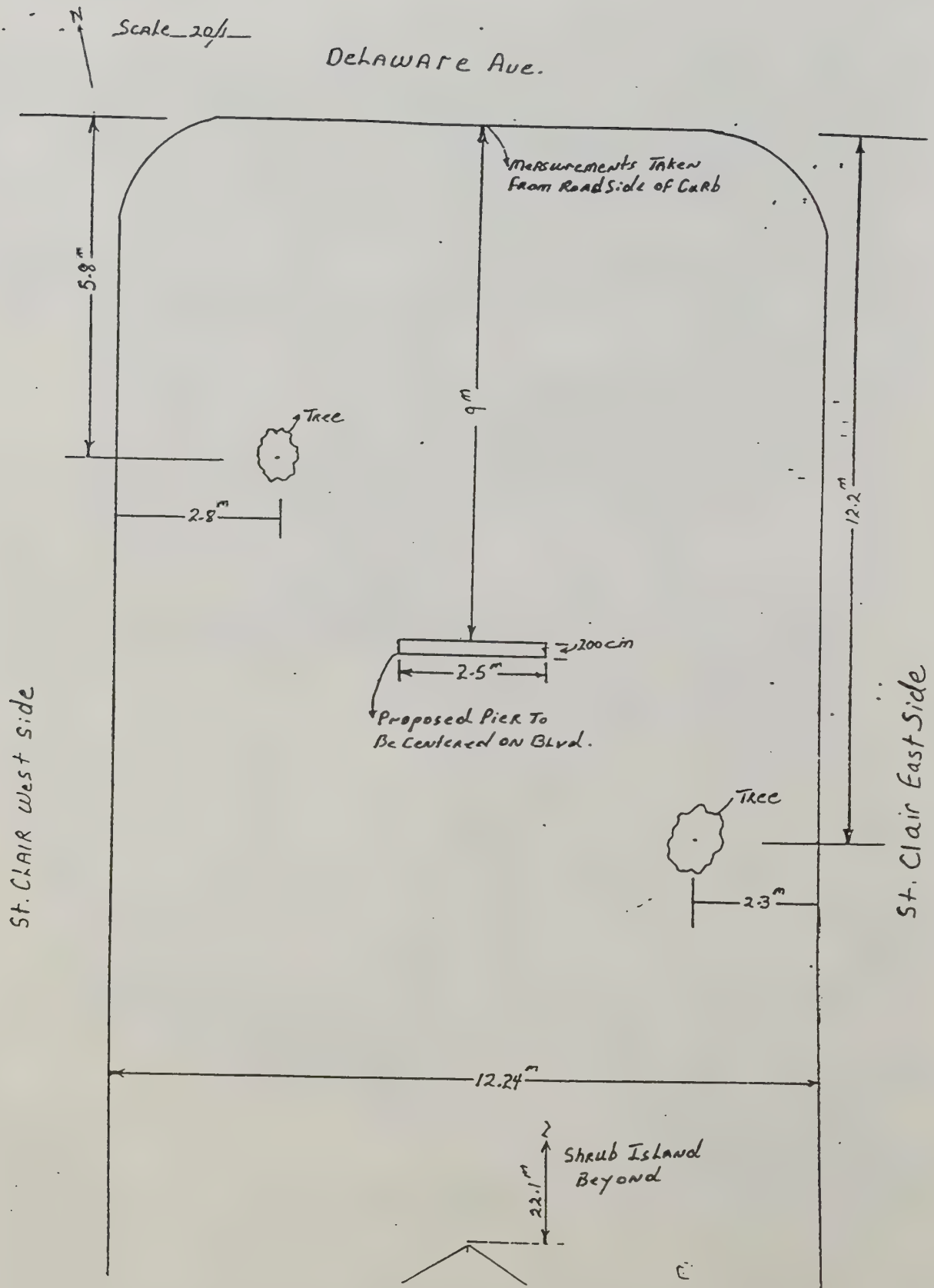
- (c) meet the security/equity and other requirements of the City's loan program including the requirements specified herein.
15. Loan amounts shall not exceed the sum of \$10,000 in respect of the cost of eligible improvements to each separate location of the tenant under lease from the owner. If a tenant has more than one leasehold interest eligible for this program, the tenant may only receive a maximum of \$30,000 in loans under this Program.
 16. In the event the owner of a business within a Business Improvement Area does not own the building, a loan of less than \$5,000 will be secured by a Promissory Note, and for loans greater than \$5,000 collateral mortgage will be obtained on other real property owned by the tenant. For loans not secured by a collateral mortgage, the City shall have the sole discretion to decide upon a loan amount, which shall be based on the creditworthiness of the applicant and the revenue and expenses of the business.
 17. Loans may be for the following types of improvements and their related expenses:
 - interior fixtures, including partitions
 - interior decorating, including lighting, painting, wallpaper etc.
 - built-in showcases, freezers, special plumbing etc.
 - signage
 - related professional fees (architects, engineers, appraisers, lawyers etc.) and the application fee of the greater of 1.5% of the loan or \$200
 - such other loan program administrative fees fixed by Council from time to time.
 18. Loans shall be advanced only in respect of completed work that has been inspected by the City.

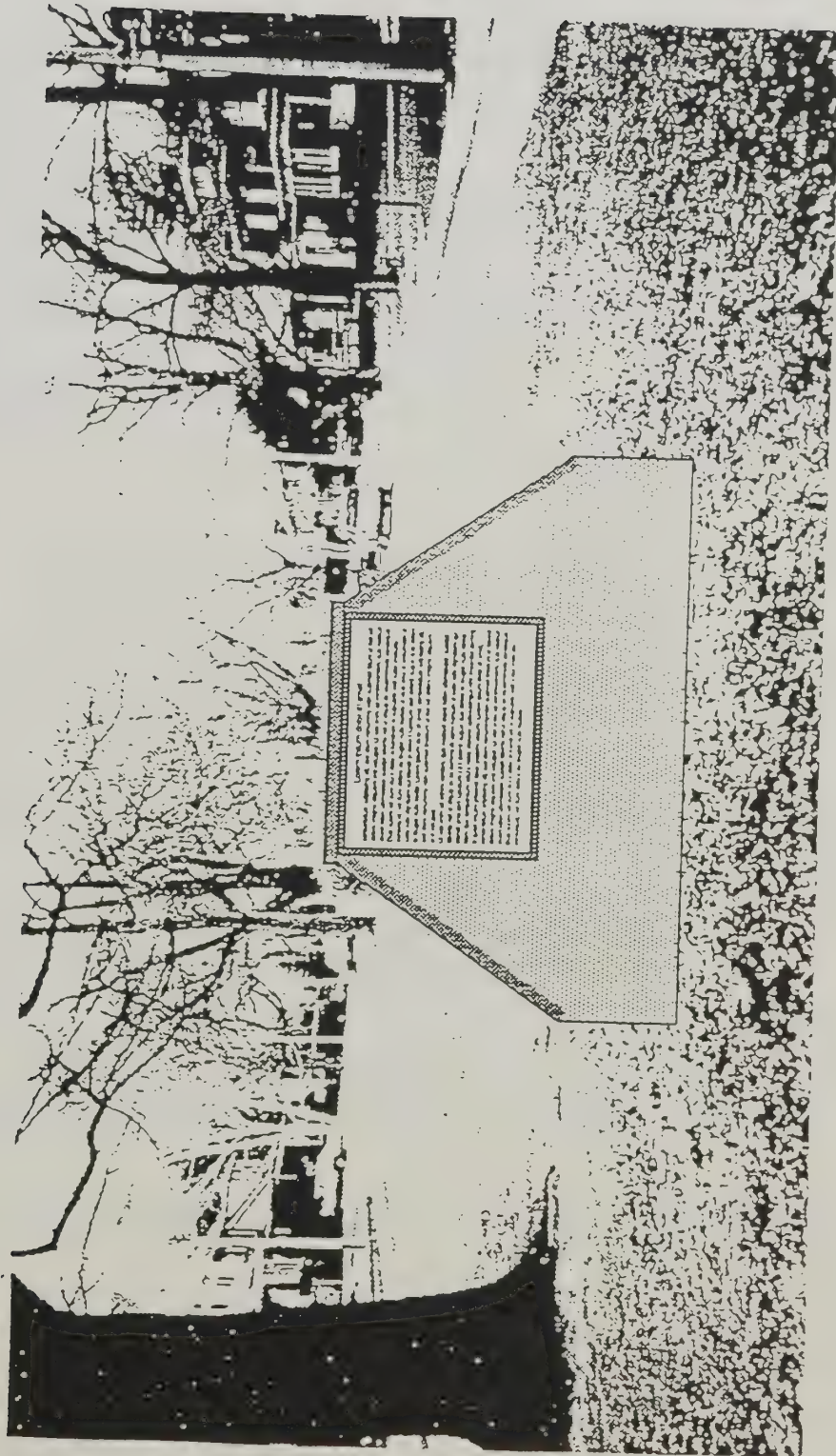
19. Loans may not be made for expenses such as chattels (such as tables, chairs, cash registers) nor shall loans be made for rental/owner occupied residential accommodation.
20. The building envelope, including exterior shell (foundation, exterior walls, roof, fire escapes, chimneys) and major systems, shall be inspected by the Building Department prior to the loan application being considered by the City. Before a loan is advanced for façade improvements (storefront, aesthetics, signage etc.) deficiencies shall be repaired and qualify for a loan.
21. The tenant will obtain two estimates for all eligible improvements after the City's inspection of the building. Where an owner personally carries out the work, only the cost of materials is eligible for a loan, upon receipt of invoices.
22. A report by the Social and Public Health Services Division, Housing and Shelter Branch, on each loan will be made to the Planning and Development Committee and Council for approval. The Committee and Council have the discretion to allow or not to allow the loan. The recommendation of the Board of Management of the local B.I.A. will be received in respect of the exterior improvement portion of loan applications.
23. Each borrower shall give the City a promissory note in respect of each loan, and as security for repayment of the loan made by the City, the borrower shall:
 - (i) where the borrower is a limited company, provide the City with the personal guarantee of at least the majority of the owner(s) of the shares, together with documents satisfactory to the City confirming the authorization of the Corporation to apply for the loan and give the loan security to the City
 - (ii) the tenant must have at least 25% equity, after covering outstanding property encumbrances, including the amount of the City's loan, on the property the tenant grants the City a collateral mortgage

- (iii) the tenant may grant the City a collateral mortgage in other property that meets the City's equity requirements, provided the owner's lawyer prepares and certifies to the City, at the owner's expense, the collateral mortgage in a form satisfactory to the Corporate Counsel
- 24. The borrower shall keep in good standing any taxes or rates levied against the tenant's interest in the property.
- 25. The Departmental charge shall be 1 ½% of the loan or \$200, whichever is more, as an administration fee. This will become an eligible expense on the application.
- 26. Upon the sale of a property that is secured by a collateral mortgage, the loan is due and payable in full to the City.
- 27. All loans become due and payable upon the sale, closing or moving of the borrower's business.

Appendix "G" referred to in
Section 6 of the Seventeenth
Report of the Planning and
Development Committee for 1999







REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FOURTEENTH** Report for 1999 and respectfully recommends:

1. Payment and Deposit Processing Agreement (FIN99065)(Agenda Item 10(b))

That the Mayor and the Municipal Clerk be authorized and directed to execute a Payment and Deposit Processing Agreement in accordance with the provisions of Report FIN99065 circulated to members of the Committee and available from the Committee Secretary upon request, and in a form satisfactory to Corporate Counsel.

2. B.I.A.'s 1998 Financial Statements (FIN99048)(Agenda Item 17)

That the 1998 audited Financial Statements of the B.I.A.'s, circulated to members of the Committee and available from the Committee Secretary upon request, be received.

3. 1999 Taxation and B.I.A. Billing By-laws (FIN99072)(Agenda Items 18 and 19)

(a) That the 1999 City of Hamilton Taxation and B.I.A. Billing By-laws be prepared and brought forward for enactment by City Council; and,

(b) That the due dates for the third and fourth instalments of taxation be October 29, 1999 and November 30, 1999 respectively.

4. Hamilton TigerCat Club sign to advertise upcoming Games (Agenda Item 23)

That the Hamilton TigerCat Club be allowed the use of the City Hall forecourt for display of its sign to advertise upcoming games, on the understanding that the sign does not contain commercial advertising.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -14.

NAYS Alderman Caplan. -1.

CARRIED.

5. Waterfront Trail (Agenda Item 24)

That City Council precommit an estimated amount of 3.8 million dollars in the Capital Budget for Waterfront Trail development with the understanding that efforts will be made for Federal and Provincial participations as partners in this project.

6. Brownfield Development Task Force

That the following members comprise a Brownfield Development Task Force to meet and report to the Committee of the Whole during budget discussions:

Mayor R. Morrow
Alderman C. Collins
Alderman A. Horwath
Alderman M. Caplan
Alderman B. Kelly

REFERRED BACK.

7. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) D-30 A By-law to Levy Taxes for the Year 1999. **REPLACED.**
- (b) D-31 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton

Respectfully submitted,

**ALDERMAN D. WILSON, CHAIRMAN
FINANCE AND ADMINISTRATION
COMMITTEE**

Susan K. Reeder, Secretary
September 21, 1999

October 4, 1999

CAY ON HBL AOS
M21
1999

Minutes of Hamilton City Council
Monday, October 4, 1999
6:20 o'clock p.m.
Liuna Gardens Banquet Centre
Stoney Creek

URBAN MUNICIPAL

OCT 18 1999

GOVERNMENT DOCUMENT

The Council met:

There were present: Mayor R. M. Morrow, Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B Morelli, D. Haining, D. Wilson, C. Collins, F. Eisenberger, T. Jackson, B. Charters, B. Kelly, F. D'Amico, D. O'Sullivan.

Absent: Alderman G. Copps - Illness
Alderman T. Anderson - Regional business

Mayor Morrow called the meeting to order.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Sixth Report of the Committee of the Whole be considered in Committee of the Whole with Mayor R. M. Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Charters, Kelly, D'Amico, O'Sullivan. -15.

NAYS: -0.

CARRIED.

COMMITTEE OF THE WHOLE - SIXTH REPORT

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Sixth Report of the Committee of the Whole on the Report of the Committee of the Whole, be adopted.

October 4, 1999

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Charters, Kelly, D'Amico, O'Sullivan. -15.

NAYS: -0.

CARRIED.

City Council then adjourned at 6:30 o'clock p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

J. J. Schatz, Municipal Clerk
October 4, 1999
JJS\dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **SIXTH** Report for 1999 and respectfully recommends:

1. COUNCILS' VISIONS, MISSIONS AND VALUES

That the Vision, Mission and Values for the City of Hamilton and the Regional Municipality of Hamilton-Wentworth, attached hereto as Appendix "A" be endorsed.

2. ADMINSTRATIONS' VISIONS, MISSIONS AND VALUES

- (a) That the Vision, Mission and Values for the Administration of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth, attached hereto as Appendix "B", be endorsed; and,
- (b) That the "Corporate Administrative Key Outputs", attached hereto as Appendix "C" be referred to a sub-committee made up of Mayor Morrow, Aldermen Caplan, Eisenberger, O'Sullivan and Regional Councillor Braden for review and report back to the Committee of the Whole.

3. COMMUNITY GROUPS GRANTS PROCESS

That the General Manager of Community Services be authorized and directed to establish a grants process for Community groups to enable them to obtain support from local rent-all companies and to contract out carpentry services at IWS.

4. CONTRACTING OUT WORK TO LOCAL TRADES - LOCAL 772

That the General Manager of Community Services be authorized to contract out work to local trades on a time and materials basis for technical repairs to pool filtration and arena equipment.

5. ALLOCATION OF \$25M PROVINCIAL FUNDING

- (a) That the cost estimate for the approved Early Retirement Incentive Program be revised downward from \$12 Million to \$10 Million, and;
- (b) That the \$25 Million received from the Province of Ontario be distributed as follows:
 - (i) \$11.5 Million to the Administrative Amalgamation Reserve (081906) to fund early retirement costs, retraining, succession planning and change management activities within the Corporation, subject to the authorization of the Council or the City Manager where appropriate (\$10 Million for the Early Retirement Incentive Program, \$1.5 Million for the remainder of these activities);
 - (ii) \$5 Million to fund severance costs associated with restructuring to date;
 - (iii) \$4 Million to the Technological Improvements Reserve (081907) to fund onetime costs associated with technological and organizational improvements;
 - (iv) \$4.5 Million to the Enterprise Fund Reserve (081908) to fund onetime costs associated with operating improvements that result in sustainable savings.
- (c) That all City of Hamilton costs associated with any activity outlined in recommendation (b) above be funded from the appropriate Regional Reserves until the \$25 Million is fully expensed.

6. EARLY RETIREMENT INCENTIVE PLAN

That, with the exception of the reduction of 4 Local 167 Caretakers, the establishment of a grants process for Community Groups and the contracting out work to local trades for technical repairs to pool filtration and arena equipment, information report to the Joint Committee of the Whole (CM99013) dated October 4, 1999 respecting Early Retirement Incentive Plan be referred to a Sub-Committee comprised of the Mayor and the Standing Committee Chairmen for report back to the Committee of the Whole.

7. REORGANIZATION OF THE TRANSPORTATION, OPERATIONS AND ENVIRONMENT DIVISION

That, the issue of the Reorganization of the Transportation Operations and Environment Division (RDS99079) be referred to a Sub-Committee comprised of the Mayor and the Standing Committee Chairmen to report back to Committee of the Whole on a third option providing for the Manager of the Operations Division in the T.O.E. Division to report to the General Manager on all administrative matters and to report directly to City Council on matters involving service standards and budget priorities.

8. BILL

That the following Bill be signed, sealed and enrolled as a By-law;

D-32 A By-law to Confirm the proceedings of the Council of the Corporation of the City of Hamilton

Respectfully submitted,

**MAYOR R. M. MORROW
CHAIRMAN
COMMITTEE OF THE WHOLE**

**J. J. Schatz, Secretary
October 4, 1999**

October 4, 1999

Appendix A

Council of the City of Hamilton/Council of the Regional Municipality of Hamilton-Wentworth

Vision, Mission and Values Statements

Vision Statement:

A friendly, green, prosperous community, which values its diversity, its natural beauty and the well-being of its citizens.

Mission Statement:

Governance that delivers services in a fair, efficient and economic manner and promotes the well-being of the citizen and the community.

Values:

Entrepreneurial spirit/risk taking
Integrity
Leadership by example
Responsive
Communication and sharing
Global thinking
Fairness
Gain public/community trust
Dignity promoted

Appendix B

Administration of the City of Hamilton/Council of the Regional Municipality of Hamilton- Wentworth

Corporate Administrative Key Outputs:

- Quality service delivery
- Sustainable financial performance
- Positive corporate image
- Comprehensive, integrated management system
- High performing workforce
- Effective Council interface

Appendix A
Administration of the City of Hamilton/Council of the Regional Municipality of Hamilton-
Wentworth

Vision, Mission and Values Statements

Vision:

Our citizens will say they are receiving the best value for their dollar

Mission:

To ensure delivery of mandated products and services

Values:

- Continuous improvement
- Innovation
- Integrity
- Customer focused
- Protect the public interest
- Excellence
- Treat people with dignity and respect
- Dynamic, learning organization
- Team work
- Communicative

CAY ON HBL AOS
M21
1999

October 12, 1999

**URBAN
MUNICIPAL**

Minutes of Hamilton City Council
Tuesday, October 12, 1999
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

There were present: Mayor R. Morrow, Chairman,
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini,
B. Morelli, D. Haining, D. Wilson, C. Collins,
F. Eisenberger, T. Jackson, B. Charters,
T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan.

Absent: Alderman G. Copps - Illness

Mayor R. M. Morrow called the meeting to order.

The National Anthem was played.

Reverend Dr. Csaba Baksa, John Calvin Hungarian Presbyterian Church, led
Council in prayer.

URBAN MUNICIPAL

OCT 22 1999

GOVERNMENT DOCUMENTS

PRESENTATIONS

Richard and Eleanor Kosydar presented to Mayor R. M. Morrow with a coffee table
book entitled "Hamilton Images of a City".

Mayor R. M. Morrow acknowledged the following sponsors of the 1999 Hamilton
Beautification Program and presented the Hamilton Beautification Awards as
follows:

Sponsors

Union Gas
Investors Group

Landscape Ontario
F. M. Page & Sons Inc.

Dofasco
Raincentre

Canadian Tire
Hamilton Spectator

Award Recipients

The Pink Trillium Awards were presented to the following residents:

Ward 1	237 Hillcrest Avenue	Marguerite Cino
Ward 2	44 Ravenscliffe Avenue	Colin and Jocelyn Lazier
Ward 3	26 Glendale Avenue North	Michael and Sheila MacCharles
Ward 4	779 Tate Avenue	David and Cherie McKnight
Ward 5	187 Stewartdale Avenue	Irene Russ
Ward 6	25 Virginia Court	Pawlo and Maria Chabluk
Ward 7	48 Rosedene Avenue	Paul and Torey Greene
Ward 8	121 West 25 th Street	George and Phyllis Kovacs

The Red Trillium Award was presented to Paul and Torey Greene, 48 Rosedene Avenue.

The Commercial/Industrial Award for a small property was presented to AMCAN Castings Ltd., 9 Hillyard Street.

The Commercial/Industrial Award for a large property was presented to St. Luke's Roman Catholic Church, 200 Mount Albion Road.

Mayor R. M. Morrow announced that 240 property owners were presented with White Trillium Awards.

Mayor R. M. Morrow introduced and thanked the Volunteers of the Hamilton Beautification Committee and the 1999 Red Trillium Selection Committee.

Mayor R. M. Morrow presented City of Hamilton Medallions to the Midget, Juvenile and Junior Teams of the Hamilton Seekers Volleyball Club in recognition for winning Provincial and/or Canadian Championships.

ADOPTION OF MINUTES

The minutes of the regular meeting held September 28, 1999 and the special meeting held October 4, 1999 were adopted as circulated.

CORRESPONDENCE

1. Letter dated October 6, 1999 from Mel Smith, District Operations Manager, Canadian Waste Services Inc. respecting an application for an amendment to Certificate of Approval #A100130, located at 245 Lottridge Street, Hamilton, Ontario. This item is also referred to in Section 1 of the Transport and Environment Committee's Report.

Referred to the Transport and Environment Committee.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be considered in Committee of the Whole with Alderman Kelly in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE – SEVENTH REPORT

Section 1 Re: Canadian Waste Services Inc. – Certificate of Approval

Recorded vote.

YEAS: Aldermen Kiss, Horwath, Morelli, Haining, Wilson, Kelly. -6.

NAYS: Mayor Morrow, Aldermen Caplan, Corsini, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, O'Sullivan. -10. **LOST.**

Section 1 Re: Canadian Waste Services Inc. – Certificate of Approval

It was moved by Alderman Jackson and seconded by Alderman Eisenberger:

- (a) That the Ministry of Environment be advised that City Council has no objection to the application of Canadian Waste Services Inc. for an amendment to Certificate of Approval #A100130; and,
- (b) That on-going concerns ie. truck traffic, odour problems, continue to be studied by staff, in conjunction with the Ward Aldermen and representatives of Canadian Waste Services Inc.

It was subsequently moved by Alderman Charters and seconded by Alderman Haining that the above resolution of the Transport and Environment Committee be tabled until Section 13 of the Seventh Report of the Transport and Environment Committee for 1999 is considered by Council.

Recorded vote on motion to table.

YEAS: Aldermen Kiss, Horwath, Morelli, Haining, Wilson, Collins, Charters.
-7.

NAYS: Mayor Morrow, Aldermen Caplan, Corsini, Eisenberger, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -9. **LOST.**

Recorded vote on the main motion.

YEAS: Mayor Morrow, Aldermen Caplan, Corsini, Eisenberger, Jackson, Anderson, D'Amico, O'Sullivan. -8.

NAYS: Aldermen Kiss, Horwath, Morelli, Haining, Wilson, Collins, Charters, Kelly. -8. **LOST.**

Section 1 Re: Canadian Waste Services Inc. - Certificate of Approval

It was moved by Alderman Collins and seconded by Alderman Charters that the Ministry of the Environment be advised that City Council is not prepared to approve the application for a Certificate of Approval by Canadian Waste Services Inc. for an amendment to Certificate of Approval #A100130 until such time as the Ministry is prepared to issue regulatory authority, and a commitment from the Ministry that they will enforce their own Certificates of Approval.

It was subsequently moved by Alderman Charters and seconded by Alderman Caplan that the above resolution moved by Alderman Collins and seconded by Alderman Charters respecting a Certificate of Approval by Canadian Waste Services Inc., be referred to the Transport and Environment Committee.

Recorded vote on Referral.

YEAS: Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Collins, Charters, Kelly, O'Sullivan. -10.

NAYS: Mayor Morrow, Aldermen Corsini, Eisenberger, Jackson, Anderson, D'Amico. -6. **CARRIED.**

Section 13 Re: Certificates of Approval

It was moved by Alderman Caplan and seconded by Alderman Horwath that Section 13 of the Seventh Report of the Transport and Environment Committee for 1999 respecting Certificates of Approval be referred back to the Transport and Environment Committee. **CARRIED.**

Rule No. 9 Re: Closing of Ottawa Street.

It was moved by Mayor Morrow and seconded by Alderman Morelli that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to consider a resolution respecting the closing of Ottawa Street. **CARRIED.**

Section 16 Re: Closing of Ottawa Street – Tim Horton's Way

It was moved by Alderman Morelli and seconded by Alderman Haining that the following be added as Section 16 of the Seventh Report of the Transport and Environment Committee for 1999:

16. (a) That the Regional Municipality of Hamilton-Wentworth be requested to facilitate the closing of Ottawa Street at the location of the original Tim Horton's, from 2:00 o'clock p.m. to 3:00 o'clock p.m., October 22, 1999; and,
- (b) That ceremonial signs be permitted, designating the street "Tim Hortons Way" for the occasion. **CARRIED.**

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Rule No. 9 Re: Parking Control – Increase Level of Parking Enforcement

It was moved by Mayor Morrow and seconded by Alderman Haining that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to consider a resolution respecting Parking Enforcement Levels.

CARRIED.

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Section 17 Parking Control – Increase Level of Parking Enforcement

It was moved by Mayor Morrow and seconded by Alderman Haining that the following be added as Section 17 of the Seventh Report of the Transport and Environment Committee:

17. (a) That the 1999 Parking Enforcement Levels previously approved by City Council be reduced to the 1998 levels; and,
- (b) That staff report back to the Transport and Environment Committee on how they are implementing this change to the enforcement level.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Horwath, Corsini, Morelli, Haining, Wilson, Collins, Anderson, Kelly. –9.

NAYS: Aldermen Kiss, Caplan, Eisenberger, Charters, Jackson, D'Amico, O'Sullivan. –7.

CARRIED.

PARKS AND RECREATION COMMITTEE – NINTH REPORT

PLANNING AND DEVELOPMENT COMMITTEE – EIGHTEENTH REPORT

Rule No. 9 Re: Introduction of Bills C-59 and C-60.

It was moved by Alderman D'Amico and seconded by Alderman Caplan that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of the introduction of Bills C-59 respecting removal of a holding provision for 27 Dundurn Street North and Bill C-60 respecting a Zoning Change for the Rear of 1476 Upper Gage Avenue.

CARRIED.

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Section 8 Re: Introduction of Bills C-59 and C-60 – 1476 Upper Gage

It was moved by Alderman D'Amico and seconded by Alderman Caplan that Section 8 of the Eighteenth Report of the Planning and Development Committee for 1999 be amended by adding Sub-Section (b) and (c) as follows:

- (b) C-59 By-law to Amend Zoning By-law No. 6593 as amended by Zoning By-law No. 98-258 Respecting Lands Located at Municipal No. 27 Dundurn Street North.
- (c) C-60 By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at the Rear of 1476 Upper Gage Avenue. **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE - FIFTEENTH REPORT

Rule No. 9 Re: Police Helicopter at Limeridge Mall

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to allow consideration of a resolution respecting the landing of the Police Helicopter at Limeridge Mall. **CARRIED.**

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Section 3 Re: Police Helicopter at Limeridge Mall

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that the following be added as Section 3 of the Fifteenth Report for 1999 of the Finance and Administration Committee:

3. That the Ministry of Transportation be advised that the City of Hamilton is aware of the landing of the Police Helicopter at Limeridge Mall on October 24, 1999 to facilitate part of the ongoing external marketing plan for the Police Helicopter Pilot Project, and has no objection to this event occurring.

CARRIED.

Rule No. 9 Re: Interim Appointment of CIBC Mellon as the City Trustee/Custodian.

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to allow consideration of a resolution respecting the Interim appointment of CIBC Mellon as the City Trustee/Custodian.

CARRIED.

Section 4 Re: Interim Appointment of CIBC Mellon as the City Trustee/Custodian

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that the following be added as Section 4 of the Fifteenth Report for 1999 of the Finance and Administration Committee:

4. (a) That the General Manager of Finance be authorized and directed to execute agreements for the appointment of CIBC Mellon as the City/Region Trustee/Custodian, subject to the terms and conditions being acceptable to the General Manager of Finance and the investment consultant to the pension plans (James P. Marshall), in a form satisfactory to Corporate Counsel.
- (b) That all fees incurred in implementing and maintaining this arrangement be approved for payment by the pension funds, and non-pension fund fees by the Finance Department to be recovered from investment income.
- (c) That the General Manager of Finance be authorized and directed to execute agreements for the implementation of interim banking changes that may result because of this appointment. **CARRIED.**

* * * * *

Rule No. 9 Re: Absence of a Member of City Council

It was moved by Alderman Wilson and seconded by Mayor Morrow that Rule 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the absence of a Member of City Council. **CARRIED.**

* * * * *

Section 5 Re: Absence of a Member of City Council - Alderman G. Copps

It was moved by Alderman Wilson and seconded by Mayor Morrow that the following be added as Section 5 of the Fifteenth Report for 1999 of the Finance and Administration Committee:

5. That pursuant to the provisions of Section 38 (c) of the Municipal Act which stipulates that the seat of a Member of Council becomes vacant if the member is absent from meetings of the Council for three successive months without being authorized to do so by a resolution of the Council entered into its minutes, that Alderman Geraldine Copps, who through illness, may be required to absent herself from meetings of the Council of the Corporation of the City of Hamilton for a period in excess of three successive months, be authorized to be absent from meetings of City Council until her recovery is complete. **CARRIED.**

* * * * *

Rule No. 9 Re: Temporary Appointment of Alderman D. Wilson to the Parks and Recreation Committee and the Planning and Development Committee

It was moved by Alderman Wilson and seconded by Mayor Morrow that Rule 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the temporary appointment of Alderman D. Wilson to the Parks and Recreation Committee and the Planning and Development Committee. **CARRIED.**

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Section 6 Re: Temporary Appointment of Alderman D. Wilson to the Parks and Recreation Committee and the Planning and Development Committee.

It was moved by Alderman Wilson and seconded by Mayor Morrow that the following be added as Section 6 of the Fifteenth Report for 1999 of the Finance and Administration Committee:

6. That pursuant to the provisions of Section 32(b) of the City's Procedural By-law which states that each Standing Committee shall consist of the Mayor and one Alderman from each of the eight wards, that Alderman Dave Wilson be temporarily appointed to serve as the Ward 4 representative on the Parks and Recreation Committee and the Planning and Development Committee in place of Alderman Geraldine Copps until her return. **CARRIED.**

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

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City Council then adjourned at 10:10 o'clock p.m.

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Taken as read and approved,

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz
Municipal Clerk
October 12, 1999
JJS/dg**

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **SEVENTH** Report for 1999 and respectfully recommends:

1. **Canadian Waste Services Inc., 245 Lottridge Street - Application for Amendment to Certificate of Approval #A100130**

That the Ministry of the Environment be advised that City Council has objection to the application of Canadian Waste Services Inc. for an amendment to Certificate of Approval #A100130. **LOST.**

Recorded vote.

YEAS: Aldermen Kiss, Horwath, Morelli, Haining, Wilson, Kelly. -6.

NAYS: Mayor Morrow, Aldermen Caplan, Corsini, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, O'Sullivan. -10. **LOST.**

That the Ministry of the Environment be advised that City Council is not prepared to approve the application for a Certificate of Approval by Canadian Waste Services Inc. for an amendment to Certificate of Approval #A100130 until such time as the Ministry is prepared to issue regulatory authority, and a commitment from the Ministry that they will enforce their own Certificates of Approval.

**REFERRED TO THE
TRANSPORT AND ENVIRONMENT COMMITTEE**

Recorded vote on Referral.

YEAS: Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Collins, Charters, Kelly, O'Sullivan. -10.

NAYS: Mayor Morrow, Aldermen Corsini, Eisenberger, Jackson, Anderson, D'Amico. -6. **CARRIED.**

2. **To Stop Up and Sell the Public Walkway lying between 37 and 41 Glenvale Drive (TOE99013)**

- (a) That the by-law to stop-up and sell the public walkway lying between 37 and 41 Glenvale Drive, designated as Parts 1 and 2, on Plan 62R-14911, be enacted by Council; and,
- (b) That the General Manager of Transportation, Operations and Environment, be authorized and directed to register the by-law at the Land Registry Office.

3. **Routine Amendments to the City Traffic By-law 89-72 - Transport and Environment Committee Meeting 1999 October 4th (PWT99047)**

That the requests for routine amendments as listed in Appendix "A" attached hereto, be approved and that an appropriate by-law to amend the City Traffic By-law 89-72 be passed and enacted.

4. **To Incorporate Certain City Land into Various Streets by By-laws (TOE99012)**

- (a) That the following City land be incorporated into the following streets:

Bianca Drive	Parts 8 & 11	Plan 62R-11311
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- (b) That the by-laws to carry out the incorporation of the said land into the foregoing streets be prepared to the satisfaction of the Corporate Counsel and be enacted by Council; and,
- (c) That the General Manager of Transportation, Operations and Environment be authorized and directed to register the by-laws.

5. **Millennium Trail Project – City Assistance (PWT99041)**

That Transportation, Operations and Environment staff be authorized to install signing for the Millennium Trail Project with the cost of installation to be charged to regular City of Hamilton sign installation accounts.

6. **Appointment of Parking Control Officers (PWT99040)**

That, in accordance with Section 15(1) of the Police Services Act, 1990, the following person be appointed as a Parking Control Officer:

PAUL ST. GEORGE

7. **1999 Servicing Expenditures Related to Subdivisions (PDC99100)**

- (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreements with the Owners for the estimated costs of services in, **"Eagleview Estates – Phase 2"**, City's share \$41,658, Owner's share \$73,733, **"Eagleview Estates – Phase 3"**, City's share \$51,440, Owner's share \$101,401, and **"Wellington Estates – 3, Hamilton"**, Owner's share \$ 204,742.07, City's share –NIL-; and,
- (b) That the Mayor and Municipal Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owners of **"Eagleview Estates – Phase 2 and 3"** and **"Wellington Estates – 3", Hamilton** as well as and any other related documents for these Subdivisions subject to the approval of Corporate Counsel; and,
- (c) That the approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered; and,
- (d) In the event that the owner wishes to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered the owner should be allowed to do so at their own risk provided that the owners enter into a standard agreement with the City of Hamilton for pre-servicing.

8. **Review of Policy on Local Improvements (PWT99043)**

- (a) That the current policy pertaining to local improvements be revised to exclude roadways as candidates for construction under The Local Improvement Act; and,
- (b) That a program to reconstruct the surface-treated roads be implemented in 2000 utilizing local improvement funding in the 2000 Capital Budget; and,
- (c) That the City's Local Improvement By-law be amended accordingly.

9. **Master Drainage Plan Hamilton Beach (PWT99046)**

- (a) That Option 2A (Gravity drainage improvements with larger storm sewers) from the Master Drainage Plan for Hamilton Beach dated July 1999 and prepared by Marshall Macklin Monaghan be selected as the preferred option to alleviate existing chronic flooding of streets in the Hamilton Beach neighbourhood; and,
- (b) That the General Manager of Transportation, Operations and Environment be authorized and directed to obtain all the necessary approvals to design and construct the necessary works to implement the preferred option; and,
- (c) That the estimated cost for Option 2A - \$570,000 be referred to the 2000 Capital Budget for funding consideration.

10. **Brownfields '99 Conference (PWT99049)**

- (a) That the Chairman of the Transport and Environment Committee, or his designate, be authorized and directed to attend the United States EPA (Environmental Protection Agency) Brownfields 1999 Annual Conference, to be held from December 6 to 8, 1999 in Dallas, Texas; and,
- (b) That the costs associated with this conference be charged to Account No. CH55201-300120 (Aldermanic Travel); and,
- (c) That the Mayor forward correspondence to the provincial and federal governments encouraging representatives of both levels to attend and participate in the Brownfields '99 Conference.

11. **Parking Enforcement Levels (PWT99042)**

That the issue of parking control and level of parking enforcement being provided be referred to the Joint City/Region Budget Steering Committee for consideration in the 2000 Current Budget.

12. **Mohawk Road East and Lawfield Drive – School Crossing Guard (PWT99045)**

That the School Crossing Guard at the intersection of Mohawk Road East and Lawfield Drive be removed.

13. Certificate of Approval (PDC99099)

That the Ministry of the Environment be advised that City Council is not prepared to approve any further Certificates of Approval or amendments thereto until such time as the Ministry is prepared to issue regulatory authority, and a commitment from the Ministry that they will enforce their own Certificates of Approval. **REFERRED BACK.**

14. Modified Subdivision Agreement for 1504-1512 Upper Gage Avenue for the Disposal of City-Owned Lands – Part 5, Plan 62R-9436 (PDC99101)

- (a) That the City of Hamilton enter into a Modified Subdivision Agreement for the provision of the deferment of the recoveries of outstanding City servicing costs to the issuance of the building permits on a lot-by-lot basis for the eight (8) lots to be created on the south side of Royal Vista Drive, west of Upper Gage Avenue; and,
- (b) That the cost to be recovered on a lot-by-lot basis be at the September 24, 1996 rate provided the building permit is issued prior to September 24, 2001. After September 24, 2001, the rate change will be the then current flat rate fee in effect at the time of the actual recovery; and,
- (c) That the City agrees to share in the replacement cost of the sidewalk on the south side of Royal Vista Drive in the amount of \$27.14 per metre to a maximum length of 83.5 metres and that the City's share of services in the maximum amount of \$2,266.19 be approved and that the source of funding be from the City's share of services Through Unsubdivided Lands – Account Centre No. CH 00203; and,
- (d) That the Mayor and Municipal Clerk be authorized and directed to execute the proposed Modified Subdivision Agreement with the owners of 1504-1512 Upper Gage Avenue, Hamilton as well as any other related documents for this development subject to the approval of Corporate Counsel.

15. **Bills**

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-45 By-law to Incorporate City Land Designated as Parts 8 and 11 on Plan 62R-11311 into Bianca Drive
- (b) A-46 By-law to Stop-up, Close and Sell a Portion of the Public Walkway designated as Parts 1 and 2, on Plan 62R-14911 lying between 37 and 41 Glenvale Drive
- (c) A-47 Being a By-law to Amend By-law No. 89-72 to Regulate Traffic
- (d) A-48 Being a By-law to Amend By-law No. 89-72 to Regulate Traffic

16. **Closing of Ottawa Street – Tim Horton's Way**

- (a) That the Regional Municipality of Hamilton-Wentworth be requested to facilitate the closing of Ottawa Street at the location of the original Tim Horton's, from 2:00 o'clock p.m. to 3:00 o'clock p.m., October 22, 1999; and,
- (b) That ceremonial signs be permitted, designating the street "Tim Hortons Way" for the occasion. **ADDED.**

17. **Parking Control – Increase Level of Parking Enforcement**

- (a) That the 1999 Parking Enforcement Levels previously approved by City Council be reduced to the 1998 levels; and,
- (b) That staff report back to the Transport and Environment Committee on how they are implementing this change to the enforcement level. **ADDED.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Horwath, Corsini, Morelli, Haining, Wilson, Collins, Anderson, Kelly. -9.

NAYS: Aldermen Kiss, Caplan, Eisenberger, Charters, Jackson, D'Amico, O'Sullivan. -7. **CARRIED.**

October 12, 1999

Respectfully Submitted,

**ALDERMAN CHAD COLLINS, CHAIRMAN
TRANSPORT AND ENVIRONMENT
COMMITTEE**

**Carolyn Biggs, Secretary
October 4, 1999**

Ward 1

- (a) Staff has received a petition signed by representatives of five of the six abutting properties requesting that a "Two Hour Parking Time Limit, 8:00 am to 6:00 pm, Monday to Friday" regulation be implemented on the west side of Emerson between Holmes and Royal. All five of the representatives support the request.
- (b) Staff has received a request from Laurie Reid on behalf of Donny Reise, 149 Florence Street, that a reserved "Permit Parking" regulation be implemented on the south side of Florence, directly in front of his home, since he is disabled.

Ward 2

- (a) Staff has received a request from Mathew Paterson, 151 Cathcart Street, that westbound stop control be implemented on Robert at the "T" type intersection of Cathcart and Robert.
- (b) Domingos DaRocha, 382 Mary Street, has requested the removal of the existing reserved "Permit Parking" regulation on the east side of Mary, adjacent to his home as he is moving.
- (c) Mrs. Karen Bonello, 105 Simcoe Street East, has advised that she does not require the "Wheelchair Loading Zone, 7:00 am to 6pm, Seven Days a Week" regulation approved by City Council on 1999 September 7. The signs were never installed.
- (d) Due to the reconstruction of Hess from Main to King, the existing parking regulations must be revised. The plan of reconstruction has been previously approved and the parking regulation changes reflect the approved plan.
- (e) Staff has received a request from Mrs. Rivers, 8 Windsor Street, for eastbound stop control at the "T" type intersection of Windsor and Caroline.
- (f) Staff has received a petition signed by representatives from 16 of the 21 properties abutting Catharine between Barton and Murray requesting that the existing "Alternate Side Parking" regulation be removed from this block to allow parking on both sides of the street. All 16 of the representatives are in favour of removing the regulation. Staff has no serious objections to removing the subject regulation.

Ward 3

- (a) Barbara Varley, 86 Balmoral Avenue South, has requested the removal of the reserved "Permit Parking" space on the west side of Balmoral, in front of her home as it is no longer required.
- (b) Ms. Letten, 1024 Cannon Street East, has requested the implementation of a reserved "Permit Parking" regulation on the east side of East Bend, directly in front of 60 East Bend Avenue North, since she is disabled. Mr. & Mrs. McEwen, 60 East Bend Avenue North, concur with the request.
- (c) Richard Woodruff, 73 Cedar Avenue, has requested the implementation of a reserved "Permit Parking" regulation on the east side of Cedar, directly in front of his home, since he is disabled.
- (d) Maria Gomes, on behalf of her son Carlos Gomes, owner of 25 Brant Street, has requested that the "Permit Parking" regulation on Niagara between Brant and the railway tracks, be shortened to allow unrestricted parking adjacent to his rental property on Brant. The subject regulation can be shortened without affecting the number of permits presently issued.

Ward 4

- (a) Staff has received a petition signed by representatives of 10 of the 11 residential properties abutting Auburn between Normandy and the southerly end requesting that the existing "Alternate Side Parking" regulation be removed to allow parking on both sides of the street. All 10 of the residents are in favour of removing the regulation. Auburn is a dead-end street and staff has no serious objections to allowing parking on both sides.
- (b) Reverend C. Stirling, St. Alban the Martyr Church, 200 Cope Street, has requested the implementation of a full-time "Wheelchair Loading Zone" on the south side of Britannia, directly adjacent to the church, and the removal of the existing "No Parking" loading zone on the east side of Cope, directly in front of the church.

Ward 5

- (a) Alderman Chad Collins has advised that he wishes to initiate, on behalf of the area residents, an "Alternate Side Parking" regulation on Eastgate between Fairington (east curb) and Centennial Parkway.

Ward 6

- (a) Steve Safranyos, 37 Reno Avenue, has requested the implementation of corner clearances on Currie at Reno, to improve visibility at the intersection. Both property owners, north and south of the intersection, concur with the request.
- (b) Staff has received a request from Rachel Lennie, 1675 Upper Gage Avenue, that a driveway clearance be implemented on the east side of Upper Gage to improve visibility when exiting this townhouse complex. Peter Webb, Property Manager of 1675 Upper Gage Avenue, has advised that he supports this request.
- (c) Alderman Tom Jackson has advised staff of a request from Mr. Steven Park, 20 Jamie-Ann Court, for all-way stop control at the intersection of Jamie-Ann and Solomon. Presently, northbound and southbound traffic is required to stop at this intersection and staff has no objection to adding an eastbound and westbound stop.

Ward 7

- (a) Alderman Bill Kelly has advised of a request from area residents that stop control be implemented at the "T" type intersections of Aquila and Crerar and Crerar and Luciano. Staff is recommending that stop control also be implemented at the "T" type intersections of Timothy and Crerar and Distin and Crerar.

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **NINTH** Report for 1999 and respectfully recommends:

1. **Request for Approval under Parks By-law 95-126 as amended, to hold Carnival Rides at the Pumpkinfest Event at Pier 4 Park on October 24, 1999 (CSC99022)**

That approval as required by Parks By-law 95-126 as amended, to hold carnival rides be given to the General Manager of Community Services to host the Pumpkinfest Event on October 24, 1999 in Pier 4 Park, subject to the Terms and Conditions of the Special Events Guidelines.

2. **Request for Approval under Parks and Fireworks By-laws for a Fireworks Display in Commonwealth Square - First Night Hamilton – A New Millennium 2000 - December 31, 1999 (CSC99023)**

That approval, as required by Section 26 of the Fireworks By-law 90-198 and Section 05 of the Parks By-law 95-126 as amended, be granted to the City of Hamilton to hold two stationary fireworks displays, each one minute in length, at Commonwealth Square on December 31, 1999 at approximately 8:00 p.m. and midnight, subject to the Terms and Conditions of the Special Events Guidelines.

3. **Sponsorship of the 2000 International Children's Games Millennium Festival**

That the City accept the offer of The Hamilton Spectator to be the Presenting Sponsor of the International Children's Games Millennium Festival to be held in Hamilton from July 1-7, 2000.

4. **User Fee Increases for Museums (CSC99021)**

That the proposed increases to User Fees including admissions and programmes for Dundurn Castle, The Hamilton Military Museum and Whitehern, attached hereto and marked as Appendix "A", be approved for implementation as of January 1, 2000.

5. **Authority to Issue Requests for Proposals for Private Sector Partners - Hamilton Civic Golf Courses/Chedoke Winter Sports Park (CSC99027)**

- (a) That the General Manager, Community Services Division be authorized not to implement Stage Two of the private partner search and selection process for the City of Hamilton civic golf courses and Chedoke Winter Sports Park; and,
- (b) That the General Manager, Community Services Division be directed to present a five year plan for the City of Hamilton civic golf courses and Chedoke Winter Sports Park at the next meeting of the Parks and Recreation Committee.

6. **Archaeological Investigation of the Jackson House Property (CSC99025)**

- (a) That approval be given to contract Historic Horizon Inc. to complete an archaeological investigation of areas of the Jackson House property, corner of Nash Road and King Street, at a cost not to exceed \$35,000; and,
- (b) That the Finance and Administration Committee be requested to identify a source of funding.

7. **Stage Two – Request for Proposals (RFP) Process for the Desjardins Canal Floating Structure Component of the Hamilton Harbour Waterfront Trail to Link with the Existing Desjardins Trail (PWT99050)**

- (a) That the Commissioner of Public Works and Traffic be authorized to issue Stage Two – Request for Proposals (RFP) of the design-build process for the design, fabrication and installation of a floating structure for the Desjardins Canal section of the Hamilton Harbour Waterfront Trail and the top five rated teams being Harm Schilthuis & Sons Ltd., Bermingham Construction Ltd., Stephens and Rankin Inc., Ambro Construction Ltd., and Technomarine International Management Inc., be invited to respond to the RFP; and,
- (b) That after the RFP submissions have been evaluated, the Commissioner of Public Works and Traffic report back to the Parks and Recreation Committee with a recommendation on proceeding with Stage Three, the Negotiation Stage of the process, taking into account budget requirements, specifications, schedule and other project components; and,

- (c) That the Director of Legal Services and Corporate Counsel and the Supervisor of Purchasing and Accounts Payable be requested to assist with the preparation and evaluation of the RFP; and,
- (d) That the costs associated with this process be financed from Capital Account No. CF62975026 – Harbour Waterfront Trail – Phase I.

8. Appointment of City Council Members to the Hamilton Region Conservation Authority's Confederation Park Steering Committee

That Aldermen Collins, Eisenberger and Wilson be appointed to serve on the Hamilton Region Conservation Authority's Confederation Park Steering Committee.

Respectfully submitted,

**ALDERMAN B. MORELLI, CHAIRMAN
PARKS AND RECREATION
COMMITTEE**

**Charlene Touzel, Secretary
October 5, 1999**

Appendix "A" as referred to
In Section 4 of the NINTH Report
of the Parks and Recreation
Committee for 1999

SUMMARY OF PROPOSED MUSEUM USER FEES FOR 2000 WITHOUT P.S.T.

a) GENERAL PUBLIC and DISCOUNT GROUP ADMISSIONS

General admission is a core function of museum operation which offers universal access and provides community benefit – offered during public hours.

Group tours/travel trade provide economic spin-offs through tourism and additional revenues using museums as innovators of group travel. Prices are discounted from the full public admissions.

		Current		Proposed	
Dundurn Castle(dc)		Regular	Group	Regular	Group
Adult	dc	5.01	5.05	5.84	5.61
	mm	0.60	n/a	0.70	n/a
	Sub-total	5.61	5.05	6.54	5.61
	Gst	0.39	0.35	0.46	0.39
	Total	6.00	5.40	7.00	6.00
 Senior					
	dc	4.64	4.21	5.06	3.97
	mm	0.50	n/a	0.55	n/a
	Sub-total	5.14	4.21	5.61	3.97
	Gst	0.36	0.29	0.39	0.28
	Total	5.50	4.50	6.00	4.25
 Student					
	dc	4.27	3.74	4.64	no change
	mm	0.40	n/a	0.50	n/a
	Sub-total	4.67	3.74	5.14	3.74
	Gst	0.33	0.26	0.36	0.26
	Total	5.00	4.00	5.50	4.00
 Child					
	dc	2.09	2.10	2.50	no change
	mm	0.25	n/a	0.30	n/a
	Sub-total	2.34	2.10	2.80	2.10
	Gst	0.16	0.15	0.20	0.15
	Total	2.50	2.25	3.00	2.25
 Family					
	dc	13.25	n/a	15.12	n/a
	mm	1.70		1.70	
	Sub-total	14.95		16.82	
	Gst	1.05		1.18	
	Total	16.00		18.00	

	Current		Proposed	
Military Museum(mm)	Regular	Group	Regular	Group
Adult	1.87	1.68	2.10	1.87
Gst	0.13	0.12	0.15	0.13
Total	2.00	1.80	2.25	2.00
Senior	1.63	1.45	1.87	1.68
Gst	0.12	0.10	0.13	0.12
Total	1.75	1.55	2.00	1.80
Student	1.63	1.45	1.87	1.68
Gst	0.12	0.10	0.13	0.12
Total	1.75	1.55	2.00	1.80
Child	1.40	1.26	1.63	1.45
Gst	0.10	0.09	0.12	0.10
Total	1.50	1.35	1.75	1.55
Family	5.61	n/a	6.54	n/a
Gst	0.39		0.46	
Total	6.00		7.00	
Whitehern	Regular	Group	Regular	Group
Adult	3.27	2.80	no change	
Gst	0.23	0.20		
Total	3.50	3.00		
Senior	2.80	n/a	no change	
Gst	0.20			
Total	3.00			
Student	2.34	1.87	no change	
Gst	0.16	0.13		
Total	2.50	2.00		
Child	1.87	n/a	no change	
Gst	0.13			
Total	2.00			
Family	9.35	n/a		
Gst	0.65			
Total	10.00			

	Current		Proposed	
Children’s Museum				
Child	2.34		no change	
Gst	0.16			
Total	2.50			
Caregiver	complimentary		no change	
Additional				
Caregivers	0.93		no change	
Gst	0.07			
Total	1.00			
Membership	10.00		no change	
	(no GST – sold by Friends \$5.00 to the Museum)			
Steam Museum				
Adult	Regular	Group	Regular	Group
	3.74	3.27	no change	
Gst	0.26	0.23		
Total	4.00	3.50		
Senior	3.27	n/a	no change	
Gst	0.23			
Total	3.50			
Student	2.80	2.34	no change	
Gst	0.20	0.16		
Total	3.00	2.50		
Child	2.34	n/a	no change	
Gst	0.16			
Total	2.50			
Family	10.28	n/a	no change	
Gst	0.72			
Total	11.00			
Membership	9.35	n/a	no change	
Gst	0.65			
Total	10.00			

	Current	Proposed
Museum Pass		
Adult Senior	10.28	11.21
Gst	0.72	0.79
Total	11.00	12.00
Student/Child	7.48	7.94
Gst	0.52	0.56
Total	8.00	8.50

b) **EDUCATIONAL PROGRAMMES**

An important element of the museum mandates and targets future generation of museum supporters.

	Current	Proposed
Dundurn Castle		
Short programmes	3.00	no change
Medium programmes	4.00	no change
Long Programmes	5.00	no change
Military Museum		
Child short programme	2.25	2.50
Child long programme	4.50	5.00
Student short programme	2.24	2.52
Gst	0.16	0.18
Total	2.40	2.70
Student long programme	4.48	5.00
Gst	0.32	0.35
Total	4.80	5.35

(minimum charges apply and there are discounts for groups of 20+)

Whitehern		
Child programme	2.00	no change
Bookbinding	4.00	no change
Badge	5.00	no change
Student programme	1.87	2.34
Gst	0.13	0.16
Total	2.00	2.50

	Current	Proposed
Children's Museum		
Child programme (minimum charges apply)	2.50	no change
Steam Museum		
Child programme short	2.25	no change
Child programme long	4.50	no change
Student programme short	2.10	no change
Gst	0.15	
Total	2.25	
Student programme long	4.21	no change
Gst	0.29	
Total	4.50	

c) **SPECIAL PROGRAMMES**

Events expand museum programmes and realize a larger target market resulting in increased audiences. Participants are both local and out of town.

Prices vary with both museum and programme. There are no price increases requested for 2000.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **EIGHTEENTH** Report for 1999 and respectfully recommends:

1. ZA-99-31, & SA-99-02, Rear of 163 Stone Church Rd. E. (PDC99091)

A.(a) That approval be given to Subdivision Application 99-02, (Regional File No. 25T-99007), Sam Consentino, owner to establish a draft plan of subdivision "Dallia Estates", on lands located north of Stone Church Road East and east of Pineridge Drive in the Jerome Neighbourhood, as shown on the attached map marked as APPENDIX "A", subject to the following conditions:

- (i) That this approval apply to the plan prepared by Ashenhurst Nouwens Limited and certified by John P. Nouwens, O.L.S., dated July 2, 1999, showing 12 lots for single detached dwellings, 1 block for road widening purposes, 1 block being a 0.30 m reserve, and one street being the extension of Pineway Avenue, attached as APPENDIX "B";
- (ii) That the owner prepare and submit, to the satisfaction of the Director, Land Development Department, Community Planning and Development Division, a municipal street numbering plan;
- (iii) That the owner shall erect a sign in accordance with Section XI of the Subdivision Agreement prior to the issuance of a final release by the City of Hamilton;
- (iv) That the final plan conform with the Zoning By-law approved under the Planning Act;
- (v) That the owner provide the City of Hamilton with a certified lost showing the net lot area and width of each lot and block and the gross area of the subdivision in the final plan;

- (vi) That the Owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton as provided for under Section 51 of the Planning Act;
- (vii) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority;
- (viii) That the Owner agree to include the following warning clause to be registered on title of Lots 1 – 3, inclusive, within the plan of subdivision, and the owner shall ensure that the warning clause is included in all offers of purchase and sale and reservation agreements to the satisfaction of the Director, Land Development Department, Community Planning and Development Division and the Corporate Counsel:

"Purchasers are advised that noise levels originating from Stone Church Road East may become of concern, occasionally interfering with some activities of the occupant";

- (ix) That the applicant/owner carry out an archaeological assessment of the entire development property and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found;

No demolition, grading or other soil disturbances shall take place on the subject property prior to the approval authority and the Ministry of Citizenship, Culture & Recreation confirming that all archaeological resource concerns have met licensing and resource conservation requirements;

- (x) That the applicant/owner dedicate Block 13 on the submitted draft plan, which is shown as a 5.18m road widening to the Region of Hamilton-Wentworth by Certificate on the Final Plan for road widening purposes;
- (xi) That Lots 10 to 12 (inclusive) not be developed until such time that sanitary and storm sewers, water and the abutting east-west neighbourhood street on the north side of these lots is established and constructed to its full width;

- (xii) That the applicant/owner be responsible for all servicing costs for the "future east-west street" currently owned by the Board of Education from the west limits of Lot 12 to the east limits of Lot 10;
- (xiii) That a 0.30m reserve, shown as Block 14 on the submitted draft plan be established and dedicated to the City of Hamilton by deed;
- (xiv) That any phasing of this development and any temporary works required to accommodate the same, be to the satisfaction of the Community Planning and Development Division;
- (xv) That the applicant/owner include 1.0m boulevards in the typical cross-section for this development;
- (xvi) That the removal of any street trees must be approved by the Forestry Section of the Transportation and Operations Division and all costs associated for removal and replacement of the street trees be the sole responsibility of the applicant/owner;
- (xvii) That Lots 1 and 2 not be registered until such time as the existing dwelling has been demolished to the satisfaction of the Building Commissioner;
- (xviii) That Lots 9, 10, 11 and 12 not be registered until such time as Lots 10, 11 and 12 have direct frontage onto a public highway to the satisfaction of the Director, Land Development Department, Community Planning and Development Division;
- (xix) That the applicant/owner agree in writing to satisfy all requirements, financial and otherwise, of the Region of Hamilton-Wentworth and the City of Hamilton;

- (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (SA-99-02/25T-99007), "Dallia Estates", proposed draft plan of subdivision and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council;
 - (c) That the Municipal Clerk be directed to advise the Director, Land Development Department, Community Planning and Development Division of Council's decision.
- B. That approval be given to Zoning Application ZAC-99-31, Sam Consentino, owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit the use of the subject lands for single detached residential uses, for lands located at 163 Stone Church Road East, as shown on the attached map marked as APPENDIX "A", on the following basis:
- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
 - (b) That the General Manager, Community Planning and Development Division be directed and authorized to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-9B for presentation to City Council; and,
 - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

2. ZA-99-32, Rear of 843 West 5th Street. (PDC99090)

That approval be given to Zoning Application ZAC-99-32, Maria Bortolotto, owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit the use of the subject lands for single family residential uses, for lands located at the rear of 843 West 5th Street, as shown on the attached map marked as APPENDIX "C", on the following basis:

- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;

- (b) That the General Manager, Community Planning and Development Division be directed and authorized to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-9B for presentation to City Council; and,
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

3. ZA-99-33 Rear of 1476 Upper Gage Avenue. (PDC99096)

That approval be given to Zoning Application 99-33, Sabatino Manganiello, owner, requesting a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Detached) District, for property located at the rear of 1476 Upper Gage Avenue, as shown on the attached map marked as APPENDIX "D", on the following basis:

- (a) That the land be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Detached) District;
- (b) That the Director, Land Development Department, Community Planning and Development Division be authorized and directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-38D for presentation to City Council; and,
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

4. ZA-99-30, 24 and 30 Hess Street South. (PDC99074)

That Council approves the following further to Section 2 of the 17th Report of the Planning and Development Committee approved by Council on September 28, 1999:

That approval be given to Zoning Application ZAC-99-30, by Jo-Ank Associates Ltd. and Tarador Holdings, owners, for a further modification to the established "E-3" (High Density Multiple Dwellings) District to permit a restaurant and patio bar use, for lands located at 30 Hess Street South (Block "2"), as shown on the attached map marked as APPENDIX "E", on the following basis:

B.(a) That the "E-3" (High Density Multiple Dwellings) District regulations as contained in Section 11C of Zoning By-law No. 6593 as modified by By-law No. 73-115 and By-law No. 81-28 applicable to Block "2" (30 Hess Street South) be further modified to include the following variances:

- (i) Notwithstanding Section 1 of By-law No. 73-115, any alteration, extension or enlargement from the northerly and southerly side walls and westerly rear wall of the existing building shall be permitted and shall be permitted to be used as a restaurant;
- (ii) That Section 11C. (2)(b) and (c) of Zoning By-law 6593 shall not apply;
- (iii) That notwithstanding Section 11C. (3) of Zoning By-law 6593, the lot shall have a minimum lot width of 13.2m and a minimum lot area of 266.1m² ;
- (iv) That Section 11C. (5) of Zoning By-law 6593 be deleted;
- (v) That Section 18. (3)(vi) of Zoning By-law 6593 shall not apply to the southerly and northerly side yards and the westerly rear yard;
- (vi) That notwithstanding Section 18.(11)(a) and (b) of Zoning By-law No. 6593, an outdoor patio shall be permitted subject to the following special requirements:
 - 1. No outdoor patio area shall provide for a seating accommodation for more than 220 persons;
 - 2. That an outdoor patio shall be permitted to adjoin lot lines and over the front canopy area;
 - 3. That an outdoor patio area may be located on the second floor;
- (vii) Notwithstanding By-law No. 73-115 as amended by By-law No. 81-28, that Section 2(ii) of By-law No. 81-28 be further modified as follows:
 - 1. one wall sign or projecting sign shall be permitted and shall have a total area of no greater than 1.4m² (15 sq. ft.);

2. the sign may be illuminated, in a manner which is non-flashing, indirect or internal;
 3. a business identification for the adjoining property at 24 Hess Street South shall be permitted;
 - (b) That the Corporate Counsel be authorized and directed to prepare a By-law to amend Zoning By-law No. 6593, and Zoning District Map W-4 for presentation to City Council;
 - (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593, and that the subject lands on Zoning District Map W-4 be noted as S-262b; and,
 - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- 5. 2717 King Street East – Demolition. (PDC99089)**
- That the Building Commissioner be authorized to issue a demolition permit for 2717 King Street East in accordance with By-law No. 74-290 pursuant to Section 33 of The Planning Act, as amended.
- 6. Removal of the “H” (Holding) Symbol –27 Dundurn St. N. (PDC99097)**
- (a) That approval be given to Zoning Application 99-18, Hugh MacLeod, owner, requesting removal of the ‘H’ (Holding) symbol provisions under Section 36(1) of the Planning Act, R.S.O., 1990, to permit a 60 seat live theatre with attendant facilities, a 24 seat restaurant and one (1) dwelling unit within the existing building, for lands located at 27 Dundurn Street North, as shown on the attached map marked as APPENDIX “F”; and,
 - (b) That the Director, Land Development Department, Community Planning and Development Division, be directed and authorized to prepare a By-law to amend Zoning By-law No. 6593 as amended by By-law No. 98-258, for presentation to City Council.

7. Community Heritage Trust Fund Program, 293 Park St. South (HSB99003)

That a loan under the Community Heritage Trust Fund Program in the amount of eleven thousand, three hundred and thirty-nine dollars (\$11,339) to David and Janis Topp for improvements to 293 Park Street South, Hamilton, be approved, subject to the fulfillment of the requirements of the program.

8. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

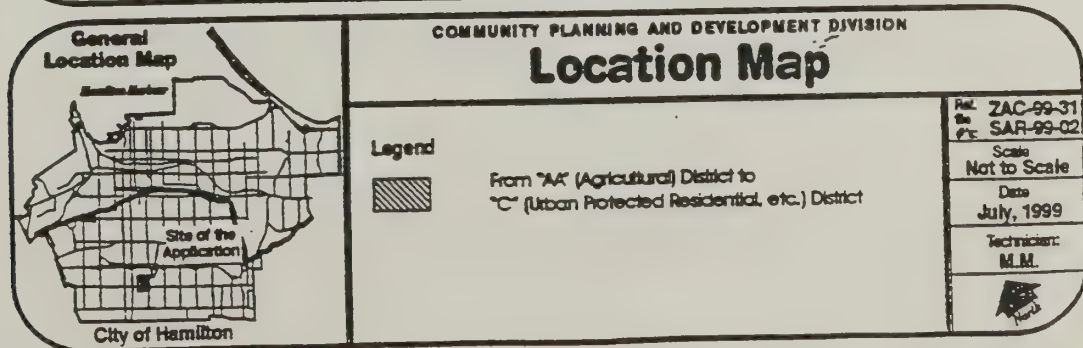
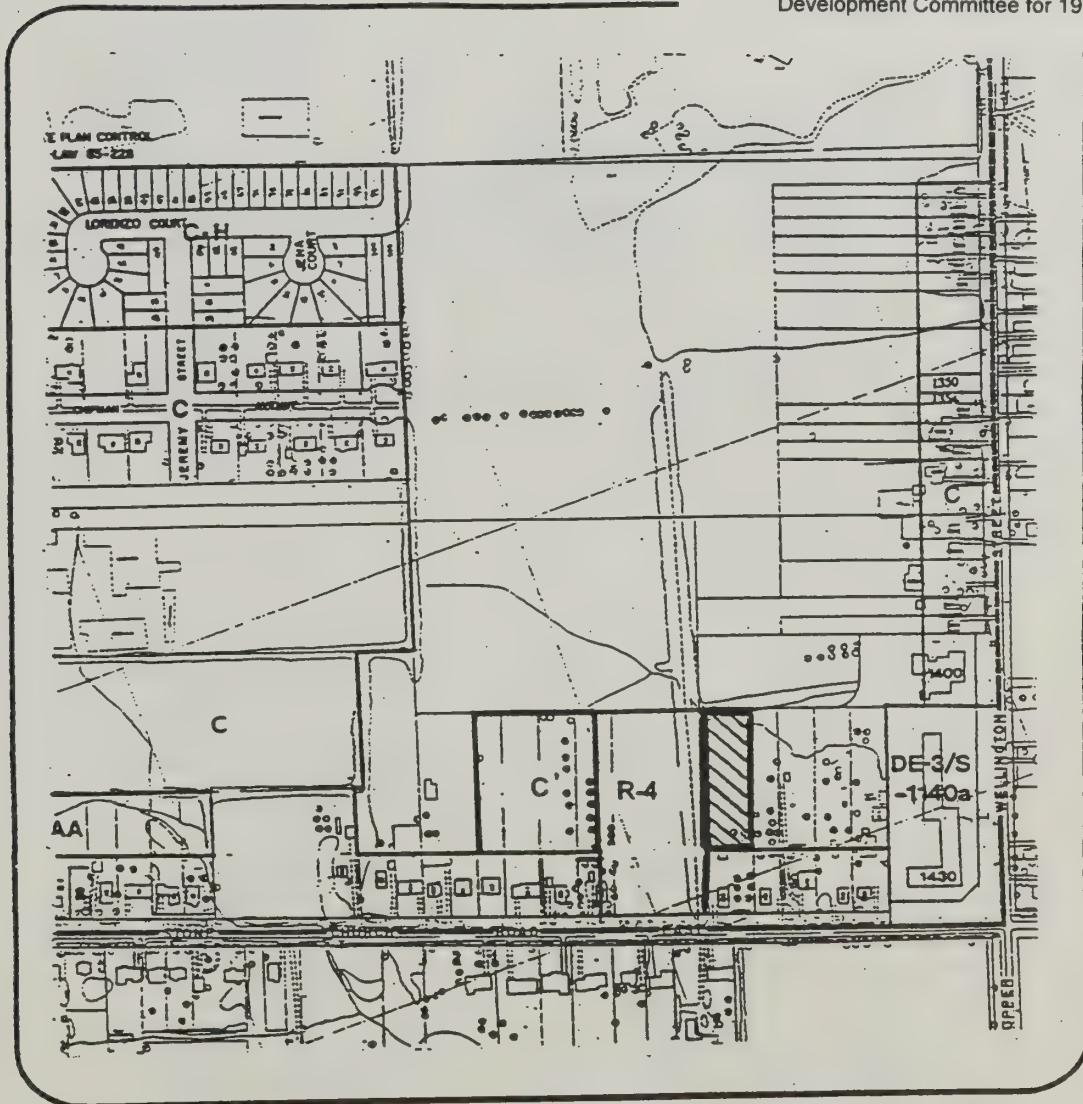
- (a) C-58 A By-law to Adopt Official Plan Amendment No. 164 Respecting Lands located on the West Side of Chedmac Drive within the Mountview Neighbourhood.
- (b) C-59 By-law to Amend Zoning By-law No. 6593 as amended by Zoning By-law No. 98-258 Respecting Lands Located at Municipal No. 27 Dundurn Street North. **ADDED.**
- (c) C-60 By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at the Rear of 1476 Upper Gage Avenue. **ADDED.**

Respectfully submitted,

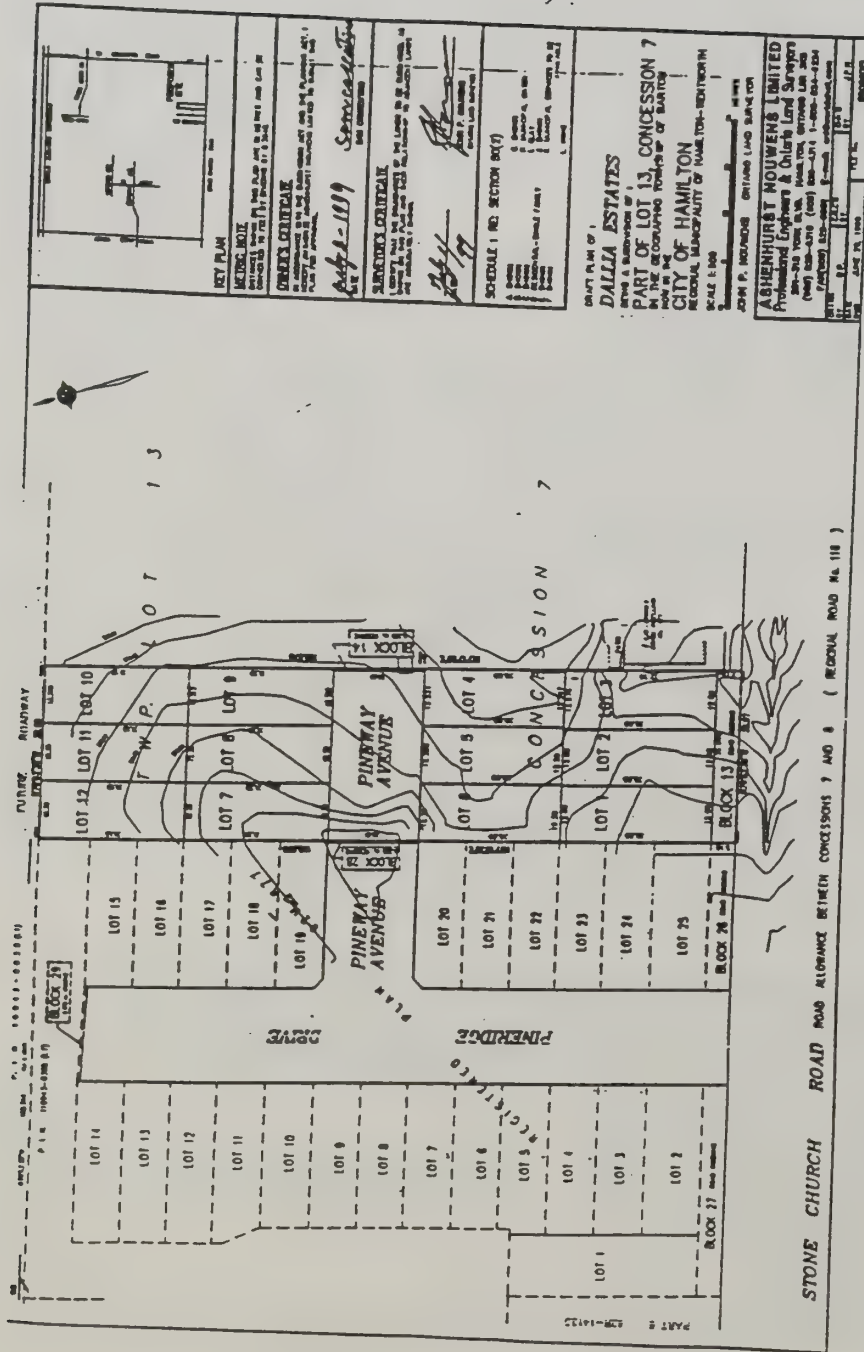
**ALDERMAN F. D'AMICO, CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE**

**Tina Agnello, Secretary
October 6, 1999**

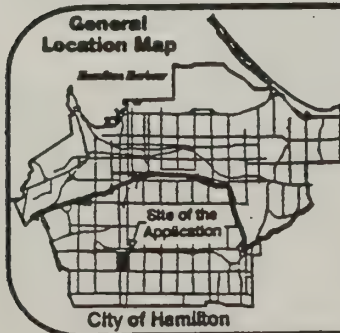
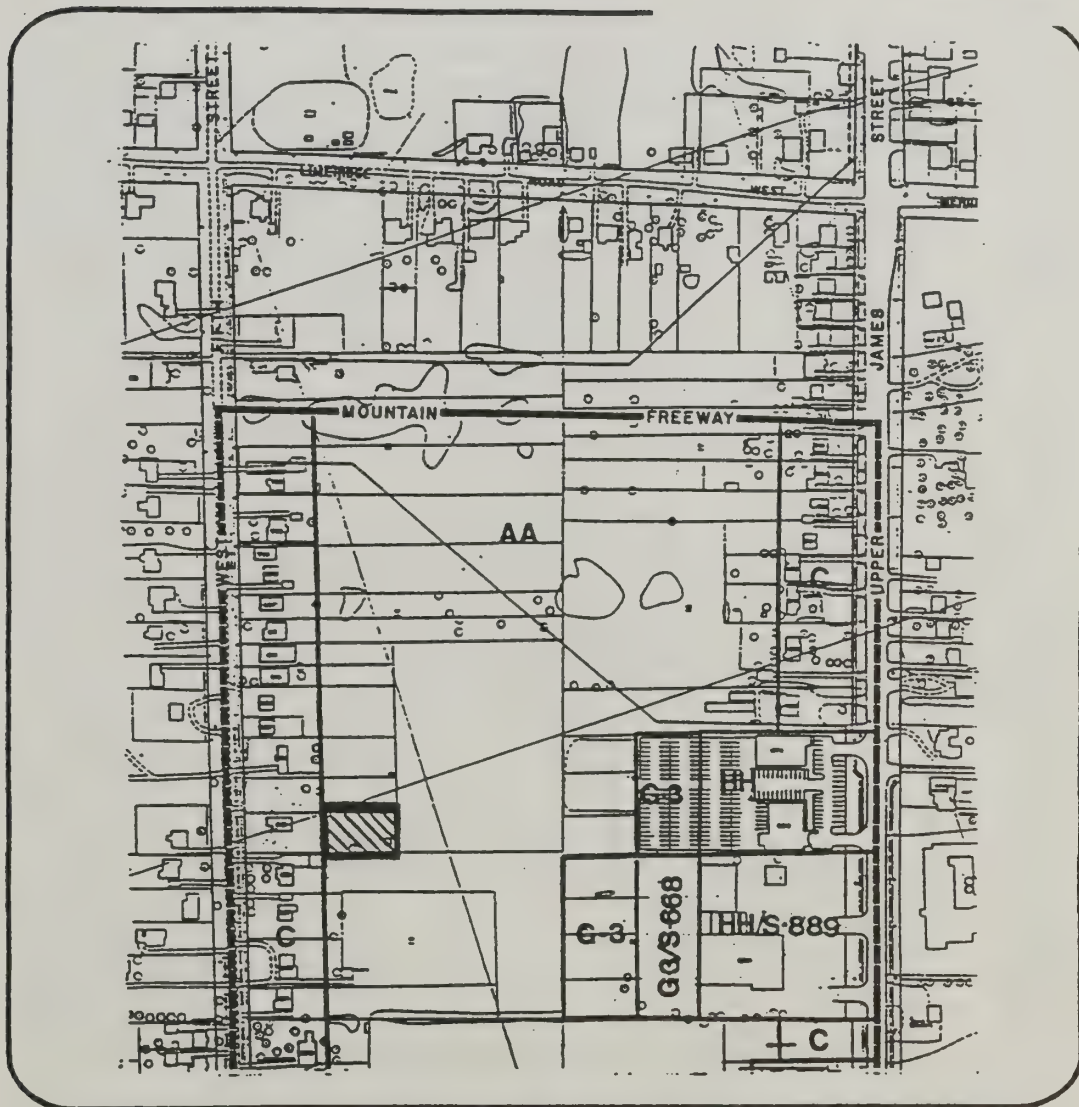
Appendix "A" referred to
In Section 1 of the Eighteenth
Report of the Planning and
Development Committee for 1999



Appendix "B" referred to in
Section 1 of the Eighteenth
Report of the Planning and
Development Committee for 1999



Appendix "C" referred to in
Section 2 of the Eighteenth
Report of the Planning and
Development Committee for 1999



COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map

Legend



From "AA" (Agricultural) District to
"C" (Urban Protected Residential, etc.) District

Reference file:
ZAR-99-32

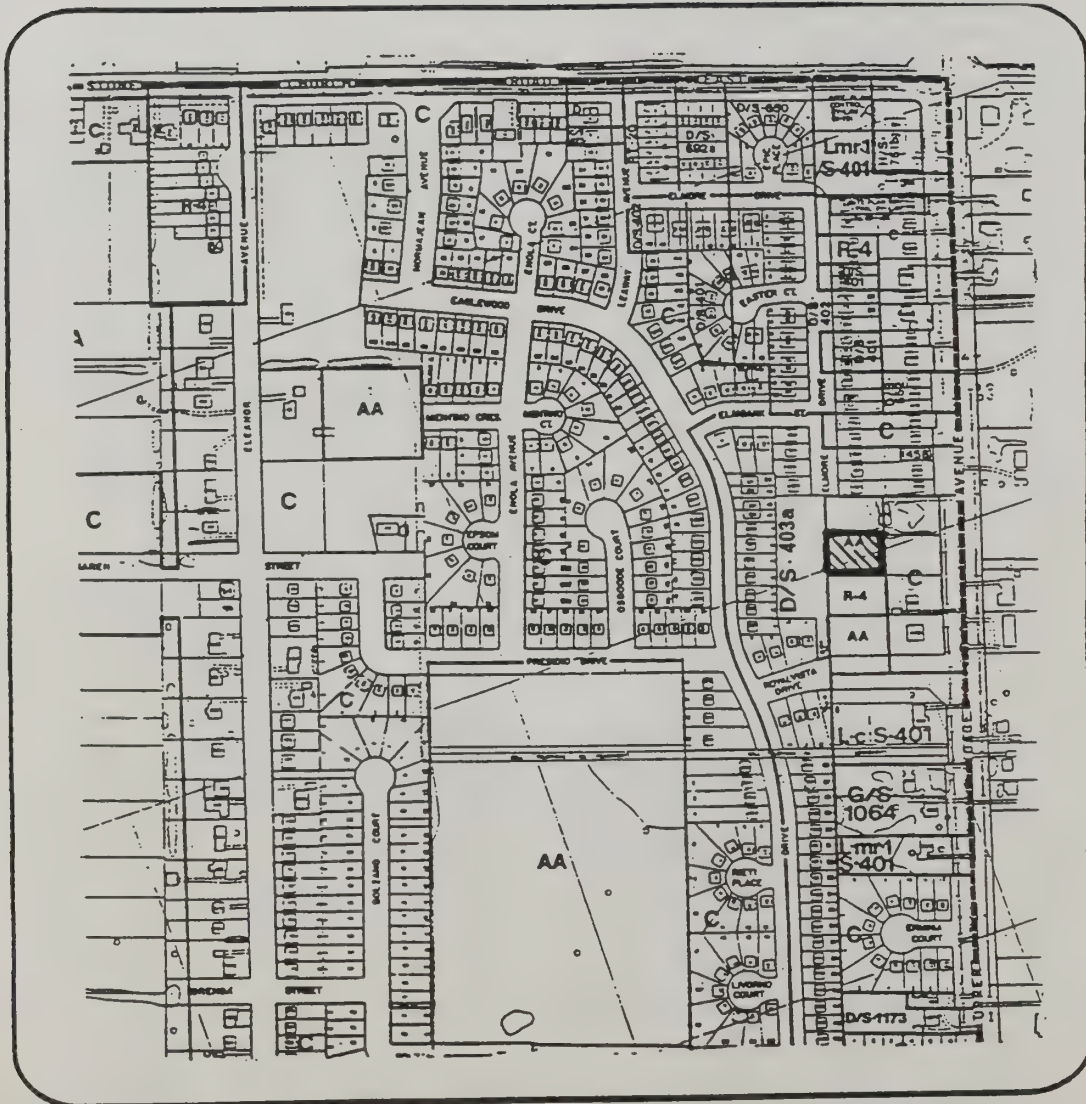
Scale
Not to Scale

Date
July, 1999

Technician:
M.M.

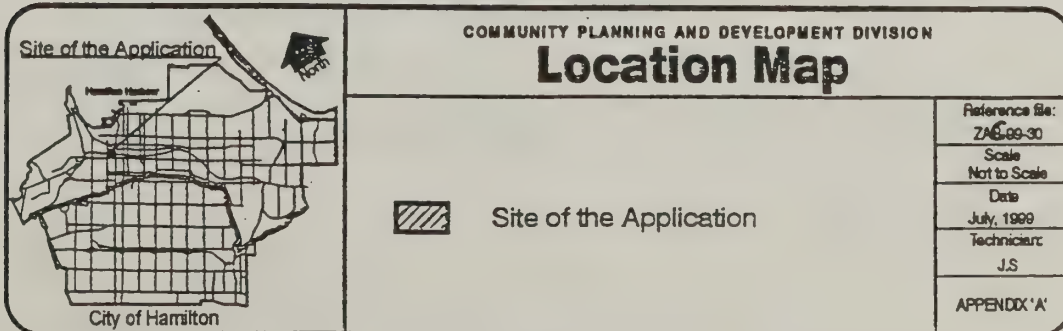


Appendix "D" referred to
In Section 3 of the Eighteenth
Report of the Planning and
Development Committee for 1999



General Location Map City of Hamilton	COMMUNITY PLANNING AND DEVELOPMENT DIVISION Location Map		Reference No: ZAR-99-33
	Legend From "AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District	Scale Not to Scale Date July, 1999 Technician: M.M.	

APPENDIX "A"



Appendix "F" referred to
in Section 6 of the Eighteenth
Report of the Planning and
Development Committee for 1999



Hamilton Harbour City of Hamilton	PLANNING AND DEVELOPMENT DEPARTMENT Key Map By-Law No.99-.....	
	Site of The Application	Reference file ZAR-99-18 Scale Not to Scale Date July, 1999 Technician: M.M.

APPENDIX "A"

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIFTEENTH** Report for 1999 and respectfully recommends:

1. Proposed Sale of City owned lands – 80 Queen Street North (CS99016a)

- (a) That the City enter into an Offer to Purchase Agreement, attached hereto as Schedule A, to be executed by the Laborer's International Union of North America (LIUNA), and/or a company to be incorporated by LIUNA, which transaction is scheduled to close on October 15, 1999, for the property described as Parts 1 and 2, Plan 62R-7200, together with a right-of-way over Part 3, Plan 62R-7200, having a frontage along the easterly limit of Queen Street North of 81.043 metres (265.9 feet) more or less, and containing an area of 7,920.8 square metres (1.96 acres) more or less, known municipally as 80 Queen Street North, Hamilton, and the funds derived from this sale of \$1 be credited to CH 4X501 00102 (Reserve for Property Purchases (Sales)).
- (b) That the funds required for the completion of this agreement, up to \$600,000.00, be charged to the Reserve for Capital Projects – General.
- (c) That the Mayor and Municipal Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the Director of Legal Services.
- (d) That the Municipal Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (i) satisfactory notice has been given to the public of the intended sale; and,
 - (ii) an appraisal of fair market value of the real property intended to be sold was obtained on August 20, 1999.

2. Bill

That the following Bill be signed, sealed and enrolled as a By-law:

Bill D-33 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton.

3. Police Helicopter at Limeridge Mall – October 22, 1999

That the Ministry of Transportation be advised that the City of Hamilton is aware of the landing of the Police Helicopter at Limeridge Mall on October 24, 1999 to facilitate part of the ongoing external marketing plan for the Police Helicopter Pilot Project, and has no objection to this event occurring.

ADDED.

4. Appointment of CIBC Mellon as the City/Region Trustee/Custodian

(a) That the General Manager of Finance be authorized and directed to execute agreements for the appointment of CIBC Mellon as the City/Region Trustee/Custodian, subject to the terms and conditions being acceptable to the General Manager of Finance and the investment consultant to the pension plans (James P. Marshall), in a form satisfactory to Corporate Counsel.

(b) That all fees incurred in implementing and maintaining this arrangement be approved for payment by the pension funds, and non-pension fund fees by the Finance Department to be recovered from investment income.

(c) That the General Manager of Finance be authorized and directed to execute agreements for the implementation of interim banking changes that may result because of this appointment. **ADDED.**

5. Absence of a Member of City Council – Alderman G. Copps

That pursuant to the provisions of Section 38 (c) of the Municipal Act which stipulates that the seat of a Member of Council becomes vacant if the member is absent from meetings of the Council for three successive months without being authorized to do so by a resolution of the Council entered into its minutes, that Alderman Geraldine Copps, who through illness, may be required to absent herself from meetings of the Council of the Corporation of the City of Hamilton for a period in excess of three successive months, be authorized to be absent from meetings of City Council until her recovery is complete.

ADDED.

6. **Temporary appointment of Alderman D. Wilson to the Parks and Recreation Committee and Planning and Development Committee**

That pursuant to the provisions of Section 32(b) of the City's Procedural By-law which states that each Standing Committee shall consist of the Mayor and one Alderman from each of the eight wards, that Alderman Dave Wilson be temporarily appointed to serve as the Ward 4 representative on the Parks and Recreation Committee and the Planning and Development Committee in place of Alderman Geraldine Copps until her return. **ADDED.**

Respectfully submitted,

**ALDERMAN D. WILSON
CHAIRMAN
FINANCE AND ADMINISTRATION
COMMITTEE**

Susan K. Reeder
Secretary
October 5, 1999

SCHEDULE "A" TO REPORT CS99016a

OFFER TO PURCHASE

I/We the Labourer's International Union of North America (LIUNA)
 44 Hughson Street, South
 Hamilton, Ontario
 L8N 2A7

in the Regional Municipality of Hamilton-Wentworth

of the City of Hamilton,

hereinafter called the Purchaser,

hereby agree to and with THE CORPORATION OF THE CITY OF HAMILTON,

hereinafter called the Vendor,

to purchase all and singular that certain parcel or tract of land and premises situate in the Town of Ancaster in the Regional Municipality of Hamilton-Wentworth, and being composed of Parts 1 and 2 on Reference Plan 62R-7200, together with a right-of-way over Part 3 on Reference Plan 62R-7200, having a frontage along the easterly limit of Queen Street North of 81.043 metres (265.9 feet) more or less, and containing an area of 7,920.8 square metres (1.96 acres) more or less, known municipally as 80 Queen Street North, Hamilton,

hereinafter called the said lands,

at the price of One DOLLAR (\$1.00) of lawful money of
Canada, with interest as hereinafter provided, and subject to adjustments, by certified cheque on the closing of this transaction.

Provided that this Offer to Purchase is subject to the following conditions:

Forming part of this Offer to Purchase are Schedules "A" attached hereto.

1. This Offer shall be irrevocable by the Purchaser and may be accepted by the Vendor up to but not after the 15th day of October, 1999, by a letter mailed or delivered to the Purchaser at the offices of the Purchaser's solicitor.
2. In the event that this Offer is not accepted, this Offer and everything herein contained shall be null and void and no longer binding upon any of the parties hereto and the deposit shall be returned by the Vendor without interest and the Vendor shall not be liable for any damages or costs.
3. In the event of and upon the acceptance of this Offer, this Offer and the letter of acceptance shall be a binding contract of purchase and sale and shall be completed in accordance with the terms hereof.
4. The title is good and free from all encumbrances, except as to any registered restrictions or covenants.
5. The Purchaser is not to call for the production of any title deeds, abstract or evidence of title except such as are in the possession of the Vendor.
6. The Purchaser is to be allowed nine (9) days from the date of acceptance of this Offer to examine the title at its own expense. If within that time any valid objection to title is made in writing to the Vendor, or its Solicitor, which the Vendor shall be unable or unwilling to remove and which the Purchaser will not waive, the contract arising out of the acceptance of this Offer shall, notwithstanding any intermediate acts or negotiations in respect of such objections, be null and void and all monies shall be returned by the Vendor without interest and it shall not be liable for any damages or costs. Save as to any valid objections so made within such time the Purchaser shall be conclusively deemed to have accepted the title of the Vendor to the real property.
7. This agreement is made on all of the express and specific conditions as hereinafter contained, upon which the Vendor relies, and failing the fulfilment of any one or more of them on or before closing, this agreement, even though accepted, shall at the sole option of the Vendor, become null and void, in which event, the Purchaser shall forfeit the deposit monies and all other monies paid hereunder to the Vendor, as liquidated damages, and shall return to the Vendor any monies paid by the Vendor towards the cost of remediation of the subject lands, and the Vendor may waive any one or all of the following conditions at his option, without prejudice to his right of rescission in the event of the non-fulfilment of any other condition or conditions, and any such waiver shall be binding upon the Vendor only if the same is in writing and submitted to the Purchaser in accordance with the notice provisions hereof. The following are also deemed to be covenants and warranties on the part of the Purchaser.
8. The Purchaser, also known as the Transferee, agrees with the Vendor, also known as the Transferor, to the following covenants, warranties, conditions, and restrictions, and agrees that the transfer to it of the said lands, shall be subject to the following covenants, warranties, conditions and restrictions, which shall not merge on the closing of this transaction but shall continue on after the day of closing and run with the land.

- 8.1 The Transferee will prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and, the Transferee will enter into, at its sole cost and expense, a site plan agreement for the said lands with the Transferor for the development of a nursing home. The site plan is to include provisions for a small parkete or tot lots as set out in the Proposed Central Neighbourhood Plan. The Transferee will complete all terms, conditions and covenants of the site plan agreement.
- 8.2 The Transferee will convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes.
- 8.3 The Transferee may be required to apply for a re-zoning of the property in the event that the Transferee's proposed use of the said lands is not permitted by the zoning by-law. Such application is subject to the approval of the Transferor and the approval of the Ontario Municipal Board.
- 8.4 Construction of all buildings, landscaping improvements on the said lands will conform to the site plan agreement agreed upon and approved by the Transferor, the Regional Municipality and the Transferee.
- 8.5 The Transferee shall obtain all government permits and approvals and satisfy all requirements and restrictions of the Transferor, the Regional Municipality and all other agencies at its own cost.
- 8.6 The Transferee shall commence construction of the nursing home building, having a minimum building area of 70,000 square feet, upon the said lands by not later than October 31, 2000. Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.
- 8.7 The Transferee shall complete construction of the said building by not later than October 31, 2001. The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.
- 8.8 No transfer of the said lands shall be made by the Transferee until the Transferor confirms that the covenants in Paragraphs 8.6 and 8.7 have been complied with.
- 8.9 If the Transferee fails to comply with the conditions in Paragraphs 8.6 and 8.7 or either of them by the date(s) set out therein, then the Transferor shall have the right to enter upon the said lands upon 30 days' notice to the Transferee, and any such entry by the Transferor, pursuant to the terms hereof, shall determine the estate of the Transferee in the said lands. Notice of the entry may be registered by the Transferor on title to the said lands.
- 8.10 Upon such entry by the Transferor, the Transferee at its own cost shall execute and deliver to the Transferor a transfer of the said lands to the Transferor free and clear of all charges, encumbrances, liens, claims, or adverse interests whatsoever, if requested by the Transferor, for the sale price herein, namely \$1.00, and the Transferee shall pay to the Transferor (a) all monies advanced by the Transferor towards the remediation of the said lands under the cost sharing provisions set out below, without deduction, (b) all arrears of realty taxes, penalty and interest (including local improvement charges), (c) all amounts required to discharge any mortgages, liens, charges or other encumbrances against the said lands and (d) all costs of the Transferor incurred in entering on the land and retaking and reselling the land and further, without increase or compensation for any improvements, additions, alterations in, on or under the said lands.
- 8.11 The Transferee acknowledges and agrees that the Transferee's proposed private sewer servicing scheme for the proposed nursing home development will not overload the existing sewer systems, as determined by the Regional Water and Wastewater Environments Department, failing which the Transferee will not be able to proceed with the proposed use.
- 8.12 The Transferee acknowledges and agrees that the Transferee is responsible for all costs, charges, fees, levies and rates affecting the said lands and for providing all services required on the said lands. In particular, without limiting the generality of the foregoing, the Transferee is responsible for the following:
- 8.12.1 Municipal, realty and business taxes.
- 8.12.2 Municipal local improvement charges for streets, sidewalks and curbs.
- 8.12.3 Municipal local improvement charges for water supply, storm sewers and sanitary sewers.
- 8.12.4 Building permit application fee.
- 8.12.5 Storm, sanitary sewers and waterline laterals under the street and under the said lands.
- 8.12.6 All utility connections to the said lands.
- 8.12.7 The construction of a driveway to and over the said lands.
- 8.13 The Transferee agrees to obtain the approval of the Ministry of the Environment for construction of any new buildings, plant or equipment on the said lands, which approval is required in respect to emission of contaminants in the natural environment, and that the Transferee agrees to notify all purchasers or prospective purchasers of this requirement prior to the sale of the said lands and that the Transferee satisfy the requirements of the Ministry of the Environment in regard to the notification to all purchasers and prospective purchasers.

9. This agreement may not be assigned by the Purchaser without the written consent of the Vendor.
10. This transaction shall be closed on or before the 28th day of October, 1999.
11. On the closing of this transaction, the Vendor will convey the said lands to the Purchaser by good and sufficient deed thereof in fee simple, free and clear of all encumbrances, except as to any registered restrictions or covenants, and shall deliver vacant possession of the said lands to the Purchaser free and clear of all tenancies.
12. The Purchaser shall assume taxes, local improvements, water and sewer rates from the date set out in Paragraph 10 hereof.
13. Pending completion of this transaction, the Vendor will hold fire insurance policies and the proceeds thereof in trust for the parties hereto as their interests may appear and in the event of damage to the said premises the Purchaser may either take the proceeds of the insurance, if any, and complete the purchase or may cancel this Offer whether accepted or not and have all monies theretofore paid returned without interest.
14. The deed or transfer is to be prepared at the expense of the Vendor. If the Vendor is a Trustee the deed or transfer is to contain trustee covenants only. The deed is to be registered at the expense of the Purchaser.
15. This agreement and its acceptance is to be read with all changes of gender or number required by the context.
16. In the event of failure of the Purchaser to complete this transaction by the date set out in Paragraph 10 hereof, the deposit shall be forfeited to the Vendor as liquidated damages, in addition to any other right or remedy to which the Vendor may be entitled hereunder.
17. It is understood and agreed by the Purchaser and Vendor that the Vendor does not warrant the suitability of the land for any development use or any proposed use.
18. It is understood and agreed by the Purchaser that there have been no warranties and /or representations made by the Vendor whatsoever with respect to the said lands and that the said lands are being purchased on an "as is" basis. The Purchaser further acknowledges and agrees that the Vendor is making no representations or warranties whatsoever with respect to the said lands. The Purchaser acknowledges that it has relied entirely upon his own environmental site assessment, inspection and investigation with respect to quantity and value of the said lands. The Purchaser agrees to assume the said lands subject to any outstanding work orders, legislative, zoning, fire and building code violations.
19. It is understood and agreed by the Purchaser that the Vendor makes no representation, warranty, condition either express or implied as to soil or other environmental conditions, utilities, fitness for purpose of zoning and building by-laws, park, road widening or other possible dedications, or as to charges, levies and regulation of the City, the Regional Municipality, utilities or other regulatory authorities. The Purchaser shall inspect the said lands and shall satisfy itself with respect to such matters prior to submitting this Offer.
20. It is understood and agreed by the Purchaser that when the Purchaser develops the said lands it will be required to pay any and all applicable charges, fees and levies or other federal, provincial or local taxes and rates that may be charged, assessed or levied, including but not limited to development charges and sewer charges.
21. It is understood and agreed by the Purchaser that it has inspected the said lands and has conducted an independent investigation of present and past uses of the said lands and that the Purchaser has not relied on any representations by the Vendor concerning any condition of the said lands, environment or otherwise. The Purchaser shall from and after the closing date assume any and all risks relating to the physical condition of the said lands, and any and all environmental liabilities relating to the said lands, including but not limited to any liability for clean up of any hazardous substances on or under the said lands. Neither the Purchaser nor any permitted occupant shall have any recourse to the Vendor as a result of the nature and condition of the said lands, whether or not the Vendor has or had actual or imputed knowledge of such nature and condition as to the date of the Purchaser's taking title to the said lands.
22. The Purchaser agrees to undertake at its sole cost and expense, a Site Specific Risk Assessment in accordance with the Ministry of Environment Guidelines for Use and Contaminated Sites dated February, 1997, on the said lands. If the Site Specific Risk Assessment indicates that remediation of the said lands is required for the purposes of the Purchaser's proposed development and that remediation options for the said lands can be reasonably accommodated on the site through alternative construction techniques or other low cost remediation measures, then the Purchaser shall proceed to remediate the said lands in the least expensive or the most low cost remediation measures possible.
23. The Purchaser agrees to release, indemnify and hold harmless the Vendor, its officers, officials, employees, contractors and agents from and against all actions, causes of action, interests, claims, demands, fines, costs, damages, expenses, or loss or any loss relating to any environmental condition of the said lands existing or caused on or after the closing date, which the Vendor may suffer, incur, bear, be subject to or liable for.
24. Any tender of documents or money may be made upon the parties hereto or their solicitors or agents and shall be either by cash or certified cheque or in the case of payment by the City, by means of the City's uncertified cheque.
25. The Purchaser agrees that the Vendor may register this agreement or notice of this agreement on title to the said lands.

26. It is agreed that there is no representation, warranty, collateral agreement, or condition affecting this agreement or the said lands other than as expressed herein in writing.
27. The Purchaser agrees that this Offer to Purchase agreement of and any or all of its terms and conditions, covenants, warranties and restrictions or stipulations shall not merge upon the closing of this transaction or upon the registration of a deed on title, but shall survive after the closing and shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.
28. The cost of preparing and registering any releases on the completion or satisfaction of any conditions in this agreement shall be the responsibility of the Purchaser.
29. It is understood and agreed that if the said land is within a redevelopment area, the closing of this transaction is conditional upon the approval of the Minister of Municipal Affairs and Housing under The Planning Act. It is also understood and agreed that if the said land is within an urban renewal area, the closing of this transaction is conditional upon the approval of Canada Mortgage and Housing Corporation.

If there is a conflict between any provision written or typed in this Agreement (including any Appendix(s) to this Agreement) and any provision in the printed portion hereof, the written or typed provision shall supersede the printed provision to the extent of such conflict. This Agreement including any Appendix(s) attached hereto, shall constitute the entire Agreement between the Purchaser and Vendor. There is no representation, warranty, collateral agreement or condition, whether direct or collateral or expressed or implied, which induced any party hereto to enter into this Agreement or on which reliance is placed by any such party, or which affects this Agreement or the property or supported hereby, other than as expressed herein.

Time in all other respects shall be of the essence of this agreement which shall enure to the benefit of and be binding upon the Purchaser, his heirs, executors, administrators, successors and assigns, and shall enure to the benefit of and be binding upon the Vendor, its successors and assigns.

DATED at this day of A.D., 1999.

SIGNED, SEALED AND DELIVERED)
in the presence of)
) _____ (Seal)
)
) _____ (Seal)
)
) _____ (Seal)
)
)

Name of Purchaser's Solicitor _____

Address of Purchaser's Solicitor _____

SCHEDULE "A"

The Purchaser agrees with the Vendor to the following covenants, warranties, conditions, and restrictions, and agrees that the transfer to it of the said lands, shall be subject to the following covenants, warranties, conditions and restrictions, which shall not merge on the closing of this transaction but shall continue on, after the day of closing and run with the land:

Financial Contribution by the City towards the costs associated with an environmental cleanup of the subject lands

- (a) The Purchaser shall cause to be prepared and submitted to the Vendor, within twenty (20) days of the execution of the Offer to Purchase Agreement, for the Vendor's approval, a Remedial Action Plan (RAP) under which the said lands shall be brought to a condition such that all soil, fill and groundwater remaining on-site after a full depth remediation is completed, shall meet the Table B (non-potable groundwater situations) guidelines for residential/parkland properties as documented in the Ministry of the Environment (the "MOE") document "Guidelines for Use at Contaminated Sites in Ontario", revised February 1997, (or more recent revised version if updated prior to remediation commences). For greater certainty, the Vendor and the Purchaser acknowledge that the RAP will not include backfilling of the said lands and the Vendor shall not be responsible for completing any such backfilling.
- (b) The RAP,
 - (i) shall be prepared at the expense of the Purchaser by a professional engineering consulting firm licensed with the Province of Ontario with applicable experience; and,
 - (ii) the RAP shall, at a minimum, include, but not be limited to, the following:
 - (1) identify areas and estimated volumes to be excavated and disposed; and,
 - (2) identify all costs associated with the excavation and disposal of all contaminated material from the site; and,
 - (3) the level of verification/confirmatory sampling to be conducted on all materials to remain on-site; and,
 - (4) a full schedule of activities including all reporting and documentation milestones which will include the RSC submissions and acknowledgements; and,
 - (5) specific activities to be conducted on-site prior to or during the remedial activities; and,
 - (6) the manner of remediation will address soil sampling within all sections of the site to provide assurances that the fill material meets the 1997 MOE Table B Guideline Criteria for metals, PAHS, and TPH.
- (c) If the Vendor is not satisfied with the Purchaser's RAP or if the Purchaser does not submit a RAP within the required time, notwithstanding any intermediate acts or negotiations, then the agreement for financial contribution by the City, as set out herein, may be terminated by the Vendor and the Vendor may proceed to exercise its rights under clauses 8.9 and 8.10 of this Offer to Purchase.
- (d) The RAP shall include a contingency plan for dealing with soil and/or groundwater contamination encountered during the remedial activities that is not currently known.
- (e) All sampling and analytical procedures in support of the remedial activities must comply with the most recent version of the MOE document "Guidance on Sampling and Analytical Methods for Use at Contaminated sites in Ontario".
- (f) After the RAP is approved by the Vendor and the Purchaser, the Purchaser shall carry out and fully complete the implementation of the approved RAP according to the cost sharing provisions set out below.
- (g) The Purchaser shall notify the Vendor when the Purchaser considers the RAP to have been carried out and shall provide the Vendor with a copy of the final remediation Report for the Vendor's review and approval. The remedial work shall be deemed to be completed only upon receipt by both the Vendor and the Purchaser of a report from the Purchaser's Consultant:
 - (i) outlining the Remedial Work that was to be done; and,
 - (ii) confirming the completion of such work; and,
 - (iii) stating that the property is environmentally decommissioned from all of the Purchaser's intended use.
- (h) The Purchaser shall provide to the Vendor a report addressed to the Vendor certifying that the lands have been satisfactorily remedied in accordance with the RAP (the "Report").

- (i) After completion of the works as detailed in the approved RAP and within thirty (30) days of the acceptance of such completion by the Vendor, the Purchaser or the Purchasers consultant shall submit to the MOE, the Record of Site Condition (the "RSC") signed by a professional engineer. The Purchaser and/or the Purchaser's consultant shall follow up with the MOE in an effort to obtain the receipt of the RSC from the MOE.
- (j) Immediately following the MOE's acknowledgement of receipt of the said RSC, a copy shall be filed with The Regional Municipality of Hamilton-Wentworth for its acknowledgement.
- (k) Upon implementation of the approved RAP, the Purchaser shall invoice the Vendor for 50% ("Vendor's Percentage") of the actual costs of the Remedial Work that it actually incurs from time to time, on the condition that the Vendor's total cost commitment towards completing the RAP shall not exceed \$600,000. The Purchaser shall also be responsible for 50% of the actual costs up to \$1.2 Million and for 100% of the actual costs over and above \$1.2 Million (Purchaser's Percentage"). The Vendor shall reimburse the Purchaser for any amounts owed under this Section within twenty (20) days after receipt of the Purchaser's invoice. The Purchaser shall submit progress payment requests on the contract for the RAP, which invoices or requests shall be subject to review by the Vendor. If the total cost of the remedial work is less than \$1.2 Million then the Purchaser and the Vendor shall each pay 50% of the total cost and the Purchaser shall pay to the Vendor the sum of money equal to the difference between the Vendors share of the total cost of remedial work and the \$600,000.00. The entering into of this cost sharing arrangement is not an admission of liability by the Vendor.
- (l) The Purchaser and the Vendor shall jointly retain a consultant, at the sole cost and expense of the Purchaser, specializing in environmental site assessment and remediation work to ensure it is carried out in compliance with the City's requirements as specified in the Offer to Purchaser agreement, and to oversee compliance of the cost sharing provisions. That this joint consultant shall undertake a Site Specific Risk Assessment for the purposes set out in clause 22., of this Offer to Purchase agreement.
- (m) That this Offer to Purchase agreement is completed.

DATED at this day of A.D., 1999.

SIGNED, SEALED AND DELIVERED
in the presence of

)
)
) _____ (Seal)
)
)
) _____ (Seal)
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) _____ (Seal)
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October 18, 1999

Minutes of Hamilton City Council
 Monday, October 18, 1999
 9:30 o'clock a.m.
 Council Chambers, City Hall

URBAN MUNICIPAL

NOV 5 1999

GOVERNMENT DOCUMENT

The Council met:

There were present: Mayor R. M. Morrow, Aldermen M. Kiss, M. Caplan, A. Horwath, B Morelli, D. Haining, D. Wilson
 C. Collins, F. Eisenberger, T. Jackson, B. Charters, T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan.

Absent: Alderman R. Corsini - Illness
 Alderman G. Copps - Illness

Mayor Morrow called the meeting to order.

It was moved by Alderman Kiss and seconded by Alderman Horwath that Council move into Committee of the Whole to permit consideration of the recommendation contained in the Report "A New City for the New Millennium" with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: -0.

CARRIED.

Mr. D. Lychak, City Manager, presented an overview of the report "A New City for the New Millennium", copies of which were circulated to Council, and highlighted information and amendments as requested by Council at its meeting of October 14, 1999 as follows:

1. One new municipal government be created for Hamilton-Wentworth.
2. The number of politicians be reduced from 59 to 22 with the following proposed structure: City of Hamilton 13, Towns of Ancaster, Dundas and Flamborough 4, City of Stoney Creek and Township of Glanbrook 4. One Mayor will be elected at large. It is further recommended that the new Council give further analysis to the ward structure.

3. The Province provides legislation to allow for area rating based on existing municipal and urban/rural boundaries for fire, library and recreation services.
4. Community advisory committees comprised of ward aldermen be established to ensure community identities are maintained and to provide accessibility. The community advisory committees should be a geographically based committee composed of representatives elected from a defined area, representing a community interest within the City/Region.
5. A transition board is established to ensure the new municipality is structured in a responsive, fiscally responsible manner, accountable to the public and to oversee and ensure continuing prudent financial management of all municipal budgets and reserves during the interim period.
6. Each individual municipality should retain its accumulated reserves; reserve funds and development charge funds and apply them to their former municipality's share of future capital cost.
7. Equity in the consolidated hydro operations is proportional to the assets contributed by each of the area municipality's hydro and, that the existing debt of a municipality incurred for specific benefit in an identified community should remain with property owners in those municipalities' boundaries.

The Report\Recommendation as presented by Mr. Lychak was amended by:

- ✓ Incorporating the following into Recommendation #1:
"That the new City be called the City of Hamilton".
- ✓ Incorporating the following into Recommendation #2:
 - a) That the City of Hamilton supports one City for the entire area currently known as Hamilton-Wentworth with political representation based on the principle of representation by population;

- b) We further recognize that rural areas of this new City have different needs and issues than the urban areas. Political representation should reflect that. 25% of the representation from outside the City of Hamilton should be designated to represent agricultural issues and rural needs and elected by those from outside of the urban boundaries in the Official Plan of the current Region of Hamilton-Wentworth.
 - c) Urban Areas are in many ways homogenous and should not have different standards of representation as according to the Savings and Restructuring Act.
- ✓ Incorporating the following into Recommendation #3:

"Include the phrase "for a range of services like" prior to the words "fire, library and recreation services".
 - ✓ Deleting the following from Recommendation #4 and body of report:

The word "Advisory" from the phrase "Community Committees".
 - ✓ Incorporating the following into Recommendation #4:

"Council will have ultimate authority."
 - ✓ Incorporating the following into Recommendation #5:

That elected officials from lower tier municipalities be included in the Transition Team process.

It was moved by Alderman Eisenberger and seconded by Alderman Wilson that the report "A New City for the New Millennium" be approved as amended.

CARRIED.

Alderman Kiss indicated that she wished to be recorded as OPPOSED to Recommendation #2.

Introduction of Bill F-7

It was moved by Alderman Kiss and seconded by Alderman Horwath that Bill No. F-7: A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton be signed, sealed and enrolled as a By-law. **CARRIED.**

October 18, 1999

It was moved by Alderman Kiss and seconded by Alderman Horwath that the Report of the Committee of the Whole on the Report "A New City of the New Millennium be adopted, as amended.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. – 15.

NAYS: -0.

CARRIED.

City Council then adjourned at 10:40 o'clock a.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

J. J. Schatz, Municipal Clerk
October 18, 1999
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October 26, 1999

Minutes of Hamilton City Council
Tuesday, October 26, 1999
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

There were present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini,
B. Morelli, D. Haining, D. Wilson, C. Collins,
F. Eisenberger, T. Jackson, B. Charters,
T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan.

Absent: Alderman G. Copps - Illness

URBAN MUNICIPAL

Mayor R. M. Morrow called the meeting to order.

NOV 5 1999

The National Anthem was played.

GOVERNMENT DOCUMENTS

Rabbi Mark Biller, Beth Jacob Synagogue led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow presented Excellence in Property Awards to the following:

Alderman Bob Charters, City Places, International Village BIA
Julian Sellers, Totta and Sottomayor Bank Canada, Barton Village BIA
Kathy Wiegand, The Right House, Downtown Hamilton BIA
Joanne Bourinot, Dairy Queen, Main Street West BIA
John Bazinet, L. G. Wallace Funeral Home, Ottawa Street BIA
Gene Ditner, The Cottage Florist, Westdale Village BIA

Mayor R. M. Morrow presented the overall 1999 Excellence in Property Award to
Gene Ditner, The Florist Cottage.

Mayor R. M. Morrow presented Certificates of Recognition to the Judges for the
Excellence in Property Awards, Joanne McCallum, Reid MacWilliams, and Juris
Berzins who was not in attendance.

Mayor R. M. Morrow presented Certificates of Recognition to the Energy Baton Club for winning Provincial and National Championships. Members in attendance were: Alexandra Anderson, Christine Capuano, Lena Capuano, Laura Dobbie, Lisa Dobbie, Michelle Dobbie, Hollyn Hollingsworth-McGrane, Sarah Kiernan, Catherine Lemyre, Alyshia Mahy, Theodorus Mahy, Jenilee Pearce, Johanna Pearce, Elizabeth Todd and Coach - Lori Lynne Smith.

ADOPTION OF MINUTES

The minutes of the meeting held October 12, 1999 (regular) and October 18, 1999 (special) were adopted as circulated.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Planning and Development Committee be considered in Committee of the Whole with Alderman Kelly in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – NINETEENTH REPORT

Section 5 (b) (c) and (d) Re: Neighbourhood Plan Amendments – 1999 Housekeeping Review

It was moved by Alderman Kiss and seconded by Alderman Caplan that sub-sections (b) (c) and (d) of Section 5 of the Nineteenth Report of the Planning and Development Committee for 1999 be referred back to the Planning and Development Committee for consideration.

CARRIED.

Recorded vote to refer back Section 5 (b) (c) and (d)

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Jackson, Kelly. -9.

NAYS: Aldermen Wilson, Eisenberger, Collins, Charters, Anderson, D'Amico, O'Sullivan. -7.

CARRIED.

Section 9 Re: Brief Regarding Hamilton Issues

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Corsini, Morelli, Haining, Charters, Jackson, Kelly, D'Amico, O'Sullivan. -11.

NAYS: Aldermen Caplan, Wilson, Eisenberger, Collins, Anderson -5.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – TWENTIETH REPORT

RESOLUTIONS

1999 General Grants; 2000 Grants Process; Two Minutes of Silence,
Property and Liability Insurance Renewals, City/Region Y2K Communications Strategy,
Airline Service at Hamilton International Airport, White Ribbon Week

Rule No. 9 Re: 1999 General Grants

It was moved by Alderman Caplan and seconded by Alderman Kiss that Rule No. 9 of the City of Hamilton Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a recommendation respecting the 1999 General Grants. **CARRIED.**

Re: 1999 General Grants

It was moved by Alderman Caplan and seconded by Alderman Kiss:

That the outstanding 1999 General Grant requests previously tabled, pending or referred to Capital as outlined in Appendix A, Appendix B, and Appendix C, respectively, be approved as indicated in Column 3 of the appendices, attached hereto, in the total amount of \$22,350 and funded from within the balance of the 1999 Grants allocation. **CARRIED.**

Rule No. 9 Re: 2000 Grants Process

It was moved by Alderman Caplan and seconded by Alderman Kiss that Rule No. 9 of the City of Hamilton Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a recommendation respecting the 2000 Grants Process. **CARRIED.**

* * * * *

Re: 2000 Grants Process

It was moved by Alderman Caplan and seconded by Alderman Kiss that:

- (a) That the 2000 General Grants application and policy be amended to reflect the changes in process and structure as outlined on Appendix D;
- (b) That the deadline for the 2000 General Grants be January 7, 2000, acknowledging that City Hall is closed December 27 through to January 3, 2000 inclusive;
- (c) That, as a target, the 2000 General Grant recommendations is submitted to the Committee of the Whole for their consideration by February 29, 2000;
- (d) That the 2000 Convention/Reception Grant process continue in a similar fashion to that used in prior years, namely that this remain as a staff administrative process, (including the Grant Process Group administrative changes noted in Appendix D), requiring an appropriate application to be completed, adhering to the funding formula of \$4.00 per participant to a maximum level of \$1,500, and payment of any grant funds be upon receipt of a summary report after the event and consistent with the Convention/Reception Grant Policy;
- (e) That the Regional Municipality of Hamilton-Wentworth be forwarded a copy of these recommendations for its consideration with respect to the process and the grants administrative structure. **CARRIED.**

* * * * *

Rule No. 9 Re: Two Minute Wave of Silence for Remembrance Day.

It was moved by Alderman Morelli and seconded by Alderman Wilson that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order permit consideration of a resolution respecting the City of Hamilton's support for the 2-Minute Wave of Silence for Remembrance Day. **CARRIED.**

* * * * *

Re: Two Minute Wave of Silence for Remembrance Day.

It was moved by Alderman Morelli and seconded by Alderman Wilson:

That, in support of the Royal Canadian Legion's 2-Minute Wave of Silence Millennium Project, all municipal employees be requested to observe two minutes of silence on November 11, 1999 (Remembrance Day) from 11:00 a.m. to 11:02 a.m., where safety and practicality permit. **CARRIED.**

* * * * *

Rule No. 9 Re: Property and Liability Insurance Renewals.

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting property and liability insurance renewals. **CARRIED.**

* * * * *

Re: Property and Liability Insurance Renewals

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan:

- (a) That, based upon information and quotations received from Dalton Timmis Group, Inc., the City Insurance Broker of Record, the City place all insurance coverages for the term November 1, 1999 to November 1, 2000, with Frank Cowan Company Limited, at costs of \$595,785 (including applicable tax and brokerage fees), in accordance with the attached Appendix "E", as follows:

(i) City of Hamilton:

Base Cost	\$549,324
plus the following optional coverages:	
1. Excess \$25 M Liability Policy	\$ 27,000
2. Errors & Omissions Liability Policy increase Limit from \$5M to \$25M	\$ 2,889
3. Aldermens' Conflict of Interest and Accidental Death & Dismemberment Policies	\$ 2,684
4. Y2K Contingent Liability Coverage \$3M Limit	\$ 13,888
Total Cost =	<u>\$595,785</u>

- (b) That the Mayor and Municipal Clerk be authorized and directed to execute all necessary documentation in a form satisfactory to the Corporate Counsel.

CARRIED.

Rule No. 9 Re: City/Region Y2K Communications Strategy

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting funding – City/Region Y2K Communications Strategy.

CARRIED.

Re: Funding – City/Region Y2K Communications Strategy

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that:

- (a) That one-time funding to implement the Y2K communications strategy in the amount of \$48,500 be approved and financed, firstly, from operating budget surpluses and secondly, if required, the tax stabilization reserve; and,
- (b) That the costs for the Y2K communication strategy be split evenly between the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.

CARRIED.

Rule No. 9 Re: Hamilton International Airport – Discount Passenger Service

It was moved by Mayor Morrow and seconded by Alderman Anderson that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council to allow the introduction of a resolution respecting airline service at Hamilton International Airport.

CARRIED.

Re: Hamilton International Airport – Discount Passenger Service

It was moved by Mayor Morrow and seconded by Alderman Anderson:

- (a) That the Council of the City of Hamilton is in support of a discount passenger service at the John C. Munro Hamilton International Airport; and,
- (b) That ONEX, Air Canada and the Local M.P.'s be so advised.

CARRIED.

Rule No. 9 Re: White Ribbon Week

It was moved by Alderman Horwath and seconded by Alderman Kiss that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit the introduction of a "White Ribbon Campaign" of the Montreal Massacre.

CARRIED.

Re: White Ribbon Week

It was moved by Alderman Horwath and seconded by Alderman Kiss:

- (a) That November 25, 1999 to December 6, 1999 be recognized as White Ribbon Week.
- (b) That all members of council and all municipal employees, particularly men, are encouraged to wear the "white ribbon" during White Ribbon Week
- (c) That the White Ribbon Poster be displayed at the Municipal Offices in such a location that it can be seen, and be signed, by councillors and visitors alike.
- (d) That white ribbons will be available to all visitors to the Municipal Offices during White Ribbon Week.

CARRIED.

ACTING MAYOR FOR THE MONTH OF NOVEMBER, 1999

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman G. Copps be appointed Acting Mayor for the month of November, 1999.

CARRIED.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Planning and Development Committee and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

City Council then adjourned at 9:10 o'clock p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**Kevin C. Christenson,
Acting Municipal Clerk
October 26, 1999
KC/dg**

THE CORPORATION OF THE CITY OF HAMILTON

1999 GENERAL GRANT SUBMISSIONS
Tabled
by City Council May 25, 1999

Appendix "A" as referred to
in a Resolution respecting the
1999 General Grants as adopted
by City Council on October 26, 1999

Item No. (1)	Name of the Organization (2)	1999 Proposed Grant (3)	1999 Requested Grant (4)	1998 Grant (5)	Advanced Funding Program (6)
1	Canadian Ballet Youth Ensemble - to help offset costs	\$0	\$50,000	\$10,000	\$40,000
2	Conqueror II Drum & Bugle Corps - to purchase new uniforms and instruments and operating expenses	\$2,480	\$9,999	\$6,000	\$40,000
3	Diverse Community Achievement Centre - to offset portion of operational costs	\$0	\$10,000	\$2,000	\$28,400
4	Hamilton Children's Choir - to assist in operating expenses	\$0	\$1,500	\$700	\$5,000
5	Hamilton Folk Arts Heritage Council - to help with expenses of It's Your Festival	\$2,490	\$40,000	\$10,000	\$10,000
6	Players' Guild - to help defray operating costs	\$0	\$5,000	\$3,000	\$10,000
7	Symphony Hamilton - to help offset operating costs	\$2,480	\$12,000	\$6,000	\$20,000
8	Volunteer Centre of Hamilton & District - to offset expenses for Volunteer week	\$2,490	\$10,000	\$8,000	\$25,000
SUB-TOTAL of Operating Grants		\$9,940	\$138,499	\$45,700	\$178,400

LATE
APPL'N Indicates late application

ITALICS Italics Indicates first time application

THE CORPORATION OF THE CITY OF HAMILTON

1999 GENERAL GRANT SUBMISSIONS
Pending
by City Council May 25, 1999

Appendix "B" as referred to
in a Resolution respecting the
1999 General Grants as adopted
by City Council on October 26, 1999

Item No. (1)	Name of the Organization (2)	1999 Proposed Grant (3)	1999 Requested Grant (4)	1998 Grant (5)	Advanced Funding Program (6)
1 <u>LATE</u> <u>APPL'N</u>	Catholic Children's Aid Society of Hamilton- Wentworth - to support the Great Escape Summer Program for 1999.	\$0	\$8,175	-	
2	<i>Confederation Marine Modellers Inc.</i> - operating funds	\$0	\$1,000		
3	Cycle Hamilton Inc. - to offsets cost of executing bicycle race	\$0	\$7,500	-	
4	<i>Hamilton Dance Company</i> - to offset costs of yearly production	\$0	\$1,600	-	
5	<i>Hamilton Estonian School</i> - to help offset general operating costs - to help cover cost of park rental	\$0	\$500	-	
6	Hamilton-Wentworth Aquatic Club - to help offset costs of pool rental	\$0	\$20,000	-	\$34,200
7	Hamilton-Wentworth Community Net - to help offset operating costs	\$0	\$10,000	-	
8	<i>Hamilton-Wentworth Stroke Recovery As</i> - to help offset operating costs	\$0	\$9,775	-	
9	St. John Ambulance - to support the Youth Programme	\$0	\$5,000	-	
10	<i>Social Planning & Research Council</i> - to help defray operating costs	\$0	\$2,746	-	\$10,000
11	Steel City Youth Ensemble - to help finance music programmes	\$0	\$5,000	-	\$11,100

THE CORPORATION OF THE CITY OF HAMILTON

1999 GENERAL GRANT SUBMISSIONS

Pending

Appendix B

by City Council May 25, 1999

Item No. (1)	Name of the Organization (2)	1999 Proposed Grant (3)	1999 Requested Grant (4)	1998 Grant (5)	Advanced Funding Program (6)
12 <u>LATE</u> <u>APPL'N</u>	<i>Westdale Village BIA</i> <i>- to help offset operating costs of festival</i> <i>- application received May 17</i>	\$0	\$5,000	-	
	TOTAL of Pending Grants	\$0	\$76,296	\$0	\$55,300

LATE	Indicates late application
APPL'N	

ITALICS	Italics Indicates first time application
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THE CORPORATION OF THE CITY OF HAMILTON

1999 GENERAL GRANT SUBMISSIONS
Referred to Capital
by City Council
May 25, 1999

Appendix "C" as referred to
in a Resolution respecting the
1999 General Grants as adopted
by City Council on October 26, 1999

Item No. (1)	Name of the Organization (2)	1999 Proposed Grant (3)	1999 Requested Grant (4)	1998 Grant (5)	Advanced Funding Program (6)
1	Hamilton Association for Community Living - to increase participation in activities	\$0	\$26,727	-	
<u>LATE</u> <u>APPL'N</u>	- to offset general operating costs				
2	Hamilton Olympic Club - to help defray expenses for track and field events	\$0	\$1,500	-	
3	Hamilton Sparta Sports Club - to carry out expansion program	\$0	\$8,000	-	
4	Hamilton Special Needs Skating Program - to help defray costs of operating	\$2,480	\$9,230	-	
5	Navy League of Canada - Hamilton Branch - to purchase docking - to help defray operating costs	\$0	\$10,000	-	
6 <u>LATE</u> <u>APPL'N</u>	Hamilton Trinacria Association - for roof and fence repairs	\$0	\$4,000	-	-
7	Hamilton Victoria Curling Club - to replace headers providing bring to many pipes under the ice surface	\$0	\$9,900	-	-
8	Hamilton-Wentworth Community Net - terminals, printer	\$2,480	\$10,000	-	-
9	Hamilton YWCA - for renovations to ground floor and basement	\$0	\$60,000	-	-
10	Her Majesty's Army & Navy Veterans' Society of Hamilton - to upgrade heritage property	\$0	\$15,000	-	
11	Rosedale Tennis Club - down payment for new bubble	\$0	\$50,000		

THE CORPORATION OF THE CITY OF HAMILTON

1999 GENERAL GRANT SUBMISSIONS

Referred to Capital
by City Council
May 25, 1999

Appendix C

Item No. (1)	Name of the Organization (2)	1999 Proposed Grant (3)	1999 Requested Grant (4)	1998 Grant (5)	Advanced Funding Program (6)
12	<i>*Interval House</i> <i>*Added Starter referred from the Region at</i> <i>Regional Council April 6, 1999</i> <i>- Fresh Start Campaign</i>	\$0	<i>\$50,000</i>	-	-
13	<i>New Hamilton Orchestra</i>	\$2,490	<i>\$35,000</i>	-	-
14	Portuguese Hall at St. Mary's Church	\$2,480	\$10,000	-	-
15	Armenian Community Centre	\$2,480	\$10,000	-	-
CAPITAL GRANTS TOTAL		\$12,410	\$309,357		

LATE APPL'N	Indicates late application
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ITALICS	<i>Italics Indicates first time application</i>
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2000 General Grants

October 26, 1999

Appendix "D" as referred to
in a Resolution respecting the
2000 Grants Process as adopted
by City Council on October 26, 1999

<u>Existing Process / Structure</u>	<u>Proposed Process / Structure</u>	<u>Comments</u>
1 Grants Process Group - composition for 1999 members are General Manager, Finance; General Manager, Community Services; General Manager, Social and Public Health Services and support staff - policy not updated to reflect this membership	Grants Process Group membership to include: General Manager, Finance General Manager, Community Services General Manager, Social & Public Health Services Director, Economic Development Community Grants Liaison Co-ordinator Community Grants Financial Co-ordinator	this establishes consistency in administration membership for City and Regional Grant processes; the co-ordinator positions ensures one contact for either City or Regional Grants and one staff person to review financial information to comply with administrative merger
2 Grants Sub-committee - established for the 1999 General Grants - policy not updated to reflect this sub-committee	Grants Sub-committee - 5 members of City Council (should include the Chair of Regional Grants Sub-committee)	consistent with regional structure
3 Process - for 1999, Grants sub-committee to recommend to Committee of the Whole; policy indicated that Committee of the Whole made recommendations based on information presented	Process - Grants Process Group to make recommendations to the Grants Sub-committee. The Grants Sub-committee would make recommendations to the Committee of the Whole/ City Council for final approvals	consistent with regional process
4 Rating System - there is no system within the existing policy	Rating system - establish a rating system for programs and financial abilities similar to the regional system that is appropriate for City grant programs and criteria	consistent with regional process to assist in grant recommendations

Appendix "E" as referred to in a Resolution respecting the Property and Liability Insurance Renewals as adopted by City Council on October 26, 1999

901731

SUMMARY OF INSURANCE COVERAGE & PREMIUMS

THE CORPORATION OF THE CITY OF HAMILTON									
The figures below have been annualized for comparative purposes only									
Description	Limit of Coverage	Deductible	Deductible Aggregate	Premium Including Tax	Limit of Coverage	Deductible	Deductible Aggregate	Premium (Including Tax)	Increase/Decrease %
Municipal Liability & Excess	25,000,000	500,000	1,000,000	144,720	25,000,000	500,000	1,000,000	144,720	No Change
Automobile Liability & Excess	25,000,000	Direct Comp: 100,000	N/A	145,052	25,000,000	Direct Comp: 100,000	N/A	139,770	3.6% Premium Reduction
Garage Liability	25,000,000	NIL	N/A	4,725	25,000,000	NIL	N/A	4,725	No Change
Non-Owned Automobile	25,000,000	NIL	N/A	810	25,000,000	NIL	N/A	810	No Change
Errors & Omissions	5,000,000	10,000	N/A	35,640	5,000,000	10,000	N/A	35,640	*No Aggregate Limit Now
Property	516,530,287	100,000	N/A	151,092	520,630,287	100,000	N/A	145,800	3.5% Rate Reduction
Computer Hardware	6,209,980	100,000	N/A	Included in Property Premium	6,209,980	100,000	N/A	Included in Property Premium	No Change
Extra Expense	1,500,000	100,000	N/A	Included	10,000,000	100,000	N/A	Included	Limit Increase
Boiler & Machinery	100,000,000	10,000	N/A	25,068	100,000,000	10,000	N/A	25,068	No Change
Crime - Bond	10,000,000/5,000,000	10,000	N/A	20,520	10,000,000/5,000,000	10,000	N/A	15,270	24% Premium Reduction
Directors & Officers (H.E.C.F.I.)	3,000,000	Various	N/A	7,700	3,000,000	Various	N/A	7,700	Minimal Changes
Multi-Media Liability	2,000,000	NIL	NIL	2,106	25,000,000	500,000	1,000,000	Included in Liability	Limit change
Sub-Total:				535,251				519,503	2.8% Reduction
Service Fee				29,821				29,821	No Change
Sub-Total:				565,072				549,324	2.8% Reduction
Aldermen's Coverages	N/A	N/A	N/A	NIL	VARIOUS	N/A	N/A	2,664	New Coverage
Year 2000 Contingency Liab	N/A	N/A	N/A	NIL	\$3,000,000/Claim	N/A	N/A		New Coverage
Excess Umbrella Liability	N/A	N/A	N/A	NIL	\$6,000,000 Agg.	500,000	1,000,000	13,888	New Coverage
Increase Errors & Omissions	N/A	N/A	N/A	NIL	25,000,000	SIR 10,000	N/A	27,000	New Coverage
TOTAL:				565,072	25,000,000	25,000	N/A	2,889	Limit & Deductible Increases
								595,785	5.4% Increase

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **NINETEENTH** Report for 1999 and respectfully recommends:

1. 334 East 14th Street, ZA-98-26, (PDC99079)

- (a) That Zoning Application ZAC-98-26, 983177 Ontario Inc. (c/o B. Strauss), owner, for a modification to the established "E" (Multiple Dwellings, Lodges, Clubs, etc.) District (Block "1"), a change in zoning from "C" (Urban Protected Residential, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District (Block "2") and for a modification to the established "C" (Urban Protected Residential, etc.) District (Block "3"), for lands located south of Fennell Avenue and north of Inchlee Drive, known as 334 East 14th Street, as shown on the attached map marked as APPENDIX "A", be denied on the following basis:
 - (i) the proposed development of 3 lots for single detached dwellings represents an over-intensification of the subject lands in that it will have an adverse affect on the residential character of the area, and particularly the abutting property, which is not consistent with City Council's policies on Housing Intensification and the general intent of the Official Plan.
- (b) That approval be given to amended Zoning Application ZAC-98-26, 983177 Ontario Inc. (c/o B. Strauss), owner, for a change in zoning from "C" (Urban Protected Residential, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District (Block "2"), for lands located south of Fennell Avenue and north of Inchlee Drive, known as 334 East 14th Street, as shown on the attached map marked as APPENDIX "A", on the following basis:
 - (i) That Block "2" be rezoned from "C" (Urban Protected Residential, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District;

- (ii) That the General Manager, Community Planning and Development Division be directed and authorized to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-17 for presentation to City Council; and,
- (iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

2. Downtown Hamilton B.I.A. Revised Board of Management (PWT99052)

That the following individual be appointed to the Downtown Hamilton B.I.A.'s Board of Management:

N. Godwin 4 Hughson Street South, Suite 204
(Nolan Law Offices)

3. Condominium Conversion, 15 Albright Road & 15 Nicklaus Drive (PDC99105)

- (a) That approval be granted to application CDM-CONV-99-001 (Regional File 25CDM-99006) submitted by 1192193 Ontario Limited, owner, for a draft plan of condominium for the property located at No. 15 Albright Road as shown on the attached Plan marked as APPENDIX "B", to provide for a condominium comprised of 134 individual apartment condominium units, subject to the following conditions:

- (i) That this approval applies to the attached draft plan dated June 29, 1999 (APPENDIX "B") prepared by Schaeffer & Dzaldov Limited;
- (ii) That the owner enter into a Condominium Approval Agreement with the City incorporating these conditions of approval, including financial and other requirements of the City concerning roads, sidewalks, street lights and drainage, as the case may be, in a form satisfactory to Corporate Counsel;
- (iii) That prior to approval of the final plan:
 - 1) the property taxes shall be in good standing and the draft plan of condominium shall conform with General Zoning By-law No. 6593 and the Official Plan; and,

- 2) any variances or rezoning required in respect of the draft plan of condominium shall have been approved by the Committee of Adjustment or Council, as the case may be, in order that the draft plan of condominium is in compliance with General Zoning By-law 6593. Namely, the matters identified by the Building Department including:
 - the roofed-over unenclosed front entrance and framed garage;
 - the use of the asphalt playground;
 - the discrepancies of the land area and gross floor area; and,
 - non-conformity with respect to planting strips, manoeuvring space, access driveways and widths, and fencing requirements.
- (b) That approval be granted to application CDM-CONV-99-002 (Regional File 25CDM-99007) submitted by 1192193 Ontario Limited, owner, for a draft plan of condominium for the property located at No. 15 Nicklaus Drive as shown on the attached Plan marked as APPENDIX "C", to provide for a condominium comprised of 134 individual apartment condominium units, subject to the following conditions:
- (i) That this approval applies to the attached draft plan dated June 29, 1999 (APPENDIX "C") prepared by Schaeffer & Dzaldov Limited;
 - (ii) That the owner enter into a Condominium Approval Agreement with the City incorporating these conditions of approval, including financial and other requirements of the City concerning roads, sidewalks, street lights and drainage, as the case may be, in a form satisfactory to Corporate Counsel;
 - (iii) That prior to approval of the final plan:
 - 1) the property taxes shall be in good standing and the draft plan of condominium shall conform with General Zoning By-law No. 6593 and the Official Plan; and,
 - 2) any variances or rezoning required in respect of the draft plan of condominium shall have been approved by the Committee of Adjustment or Council, as the case may be, in order that the draft plan of condominium is in compliance with General Zoning By-law 6593. Namely, the matters identified by the Building Department including:

- the roofed-over unenclosed front entrance and in-ground pool;
- the use of the asphalt playground;
- the location of the in-ground pool;
- the discrepancies of the land area and gross floor area; and,
- non-conformity with respect to planting strips, manoeuvring space, access driveways and widths, and fencing requirements.

- (c) That the Municipal Clerk be directed to advise the Director of the Land Development Department of the Community Planning & Development Division of Council's decision.

4. Eagleview Estates, Phase 3", Cash in Lieu of Parkland Dedication (PDC99108)

That the City of Hamilton accept the sum of \$ 9,600.00 for Eagleview Estates – Phase 3 as the payment in lieu of the 5% land dedication in connection with "Eagleview Estates – Phase 3", Hamilton being the cash payment required under Section 51.1 of the Planning Act.

5. Neighbourhood Plan Amendments- 1999 Housekeeping review (PDC99109)

That approval be given to the following Neighbourhood Plan amendments:

- (a) That the approved Landsdale Neighbourhood Plan be amended by redesignating the lands shown on Appendix "D" as Block 1 from "Civic & Institutional" to "Single & Double Residential".

- (b) That the approved Kirkendall North Neighbourhood Plan be amended by redesignating the lands shown on Appendix "E" as Block 1 from "Medium Density Apartments" to "Commercial" and Block 2 from "Single & Double Residential" to "Commercial".

REFERRED BACK.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Jackson, Kelly. -9.

NAYS: Aldermen Wilson, Eisenberger, Collins, Charters, Anderson, D'Amico, O'Sullivan. -7.

CARRIED.

- (c) That the approved Ainslie Wood North Neighbourhood Plan be amended by redesignating the lands shown on Appendix "F" as Block 1 from "Utilities" to "Open Space".

REFERRED BACK.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Jackson, Kelly. -9.

NAYS: Aldermen Wilson, Eisenberger, Collins, Charters, Anderson, D'Amico, O'Sullivan. -7.

CARRIED.

- (d) That the approved Strathcona Neighbourhood Plan be amended by redesignating the lands shown on Appendix "G" as Block 1 from "Medium Density Apartments" to "Attached Housing".

REFERRED BACK.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Jackson, Kelly. -9.

NAYS: Aldermen Wilson, Eisenberger, Collins, Charters, Anderson, D'Amico, O'Sullivan. -7.

CARRIED.

- (e) That the approved Lawfield Neighbourhood Plan be amended by redesignating the lands shown on Appendix "H" as Block 1 from "Civic & Institutional" to "Single & Double Residential".
- (f) That the approved Gershome Neighbourhood Plan be amended by redesignating the lands shown on Appendix "I" as Block 1 from "Proposed Slip-off Lane" to "Single & Double Residential".
- (g) That the approved Gourley Neighbourhood Plan be amended by redesignating the lands shown on Appendix "J" as Block 1 from 15ft Walkway to "Single & Double Residential".
- (h) That the approved Berrisfield Neighbourhood Plan be amended by redesignating the lands shown on Appendix "K" as Block 1 from "Civic & Institutional" to "Park & Recreational" and Block 2 from "Civic & Institutional" to "Civic & Institutional" having an Acreage of 3.18 and change Public School Lands to 14.95 Acres.

6. LACAC Nomination for Hamilton-Wentworth Heritage Association Volunteer Service Award - (PDC99107)

That Jane Rigby be nominated to receive a Hamilton-Wentworth Heritage Association Volunteer Service Award on Heritage Day 2000.

7. Core Heritage 2000 Program - Extension of eligibility to designate commercial/industrial buildings in Central Area (PDC99106)

- (a) That the CORE Heritage 2000 Program be extended under the provisions of the Ontario Heritage Act from the Downtown Area to include designated commercial/industrial buildings in the Central Area Neighbourhoods (added area extends from Hunter Street to the escarpment and from Cannon Street to the waterfront while maintaining the same western boundary at Queen Street and eastern boundary at Victoria Avenue), subject to the availability of sufficient funding; and,
- (b) That the "Open for Business" Policy be expanded to the Central Area (bounded by Queen Street, the Escarpment, Victoria Avenue, and Hamilton Harbour) for all designated (under the Ontario Heritage Act) commercial and industrial buildings for a period of three years ending August 31, 2002.

8. Rescinding of By-law 99-137 regarding Official Plan Amendment No. 162, 505 to 537 Queenston Road

That the appropriate By-law be Enacted by Council to rescind By-law Number 99-137 regarding Official Plan Amendment No. 162, 505 to 537 Queenston Road.

9. Brief Regarding Hamilton Issues

- (a) That Suzanne and Henry Lennard of the "Making Cities Livable" conference be retained to draft a brief report for the City of Hamilton to including observations and suggestions on the following issues:
- Design of New City Hall/Art Museum plaza as a "People Place"
 - Expansion of the Farmers' Market
 - Urban Design Issues (including signage)
 - Proposed Park and Waterfront Development
 - Youth Issues
 - Role of traditional and new festivals in strengthening the life of the community; and,
- (b) That the Finance and Administration Committee be requested to determine the source of financing for the cost of this brief in the amount of \$4,000 (Canadian).

10. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) C-61 A By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-law No. 96-152 Respecting Lands Located West of Rice Avenue and South of Chedmac Drive.
- (b) C-62 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at the Rear of 163 Stone Church Road East.
- (c) C-63 A By-law to Repeal By-law No. 99-137 Respecting Official Plan Amendment No. 162 for Lands Located at Nos. 505 to 537 Queenston Road.

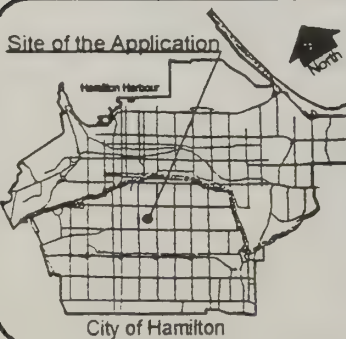
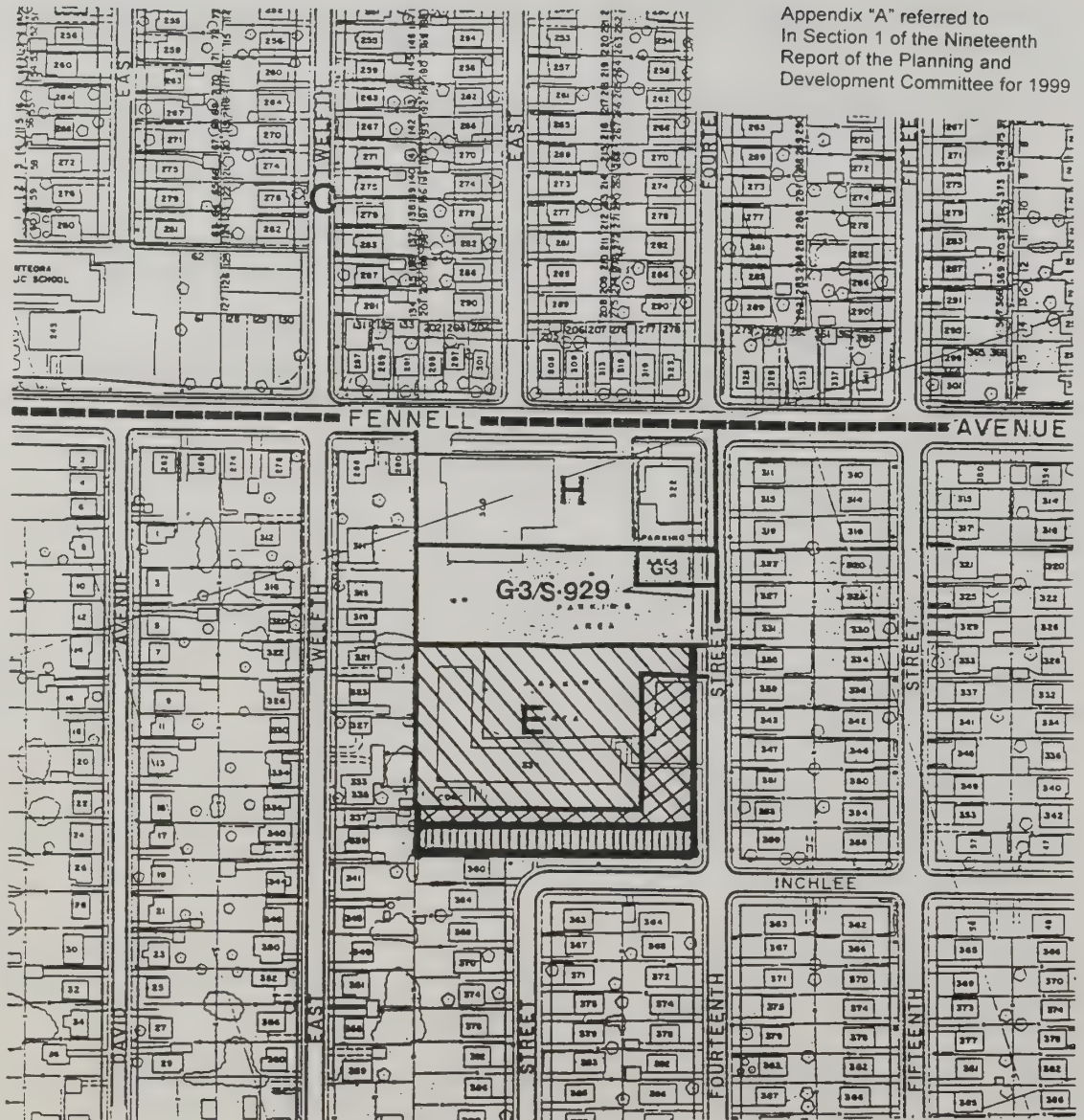
- (d) C-64 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at Nos. 1423 and 1431 Upper Wellington Street.
- (e) C-65 A By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN F. D'AMICO, CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE**

**Tina Agnello, Secretary
October 20, 1999**

Appendix "A" referred to
In Section 1 of the Nineteenth
Report of the Planning and
Development Committee for 1999



COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map

Legend

- BLK 1**
 Modification to the "E" (Multiple Dwellings) District
- BLK 2**
 Change in Zoning from "C" (Urban Protected Residential, etc.) District to "E" (Multiple Dwellings) District, modified
- BLK 3**
 Modification to the "C" (Urban Protected Residential, etc.) District

Reference file:
ZAC-98-26

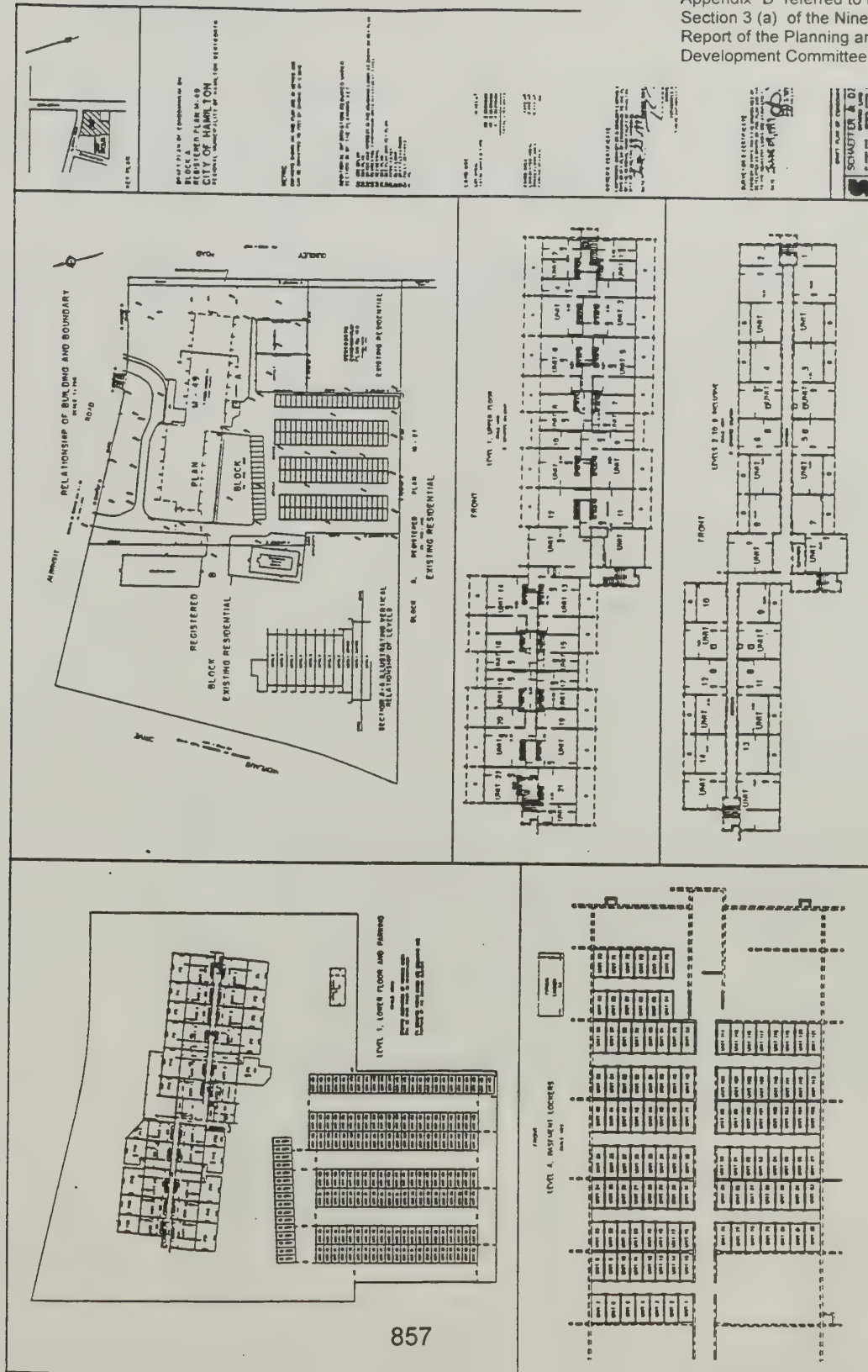
Scale
Not to Scale

Date
July, 1999

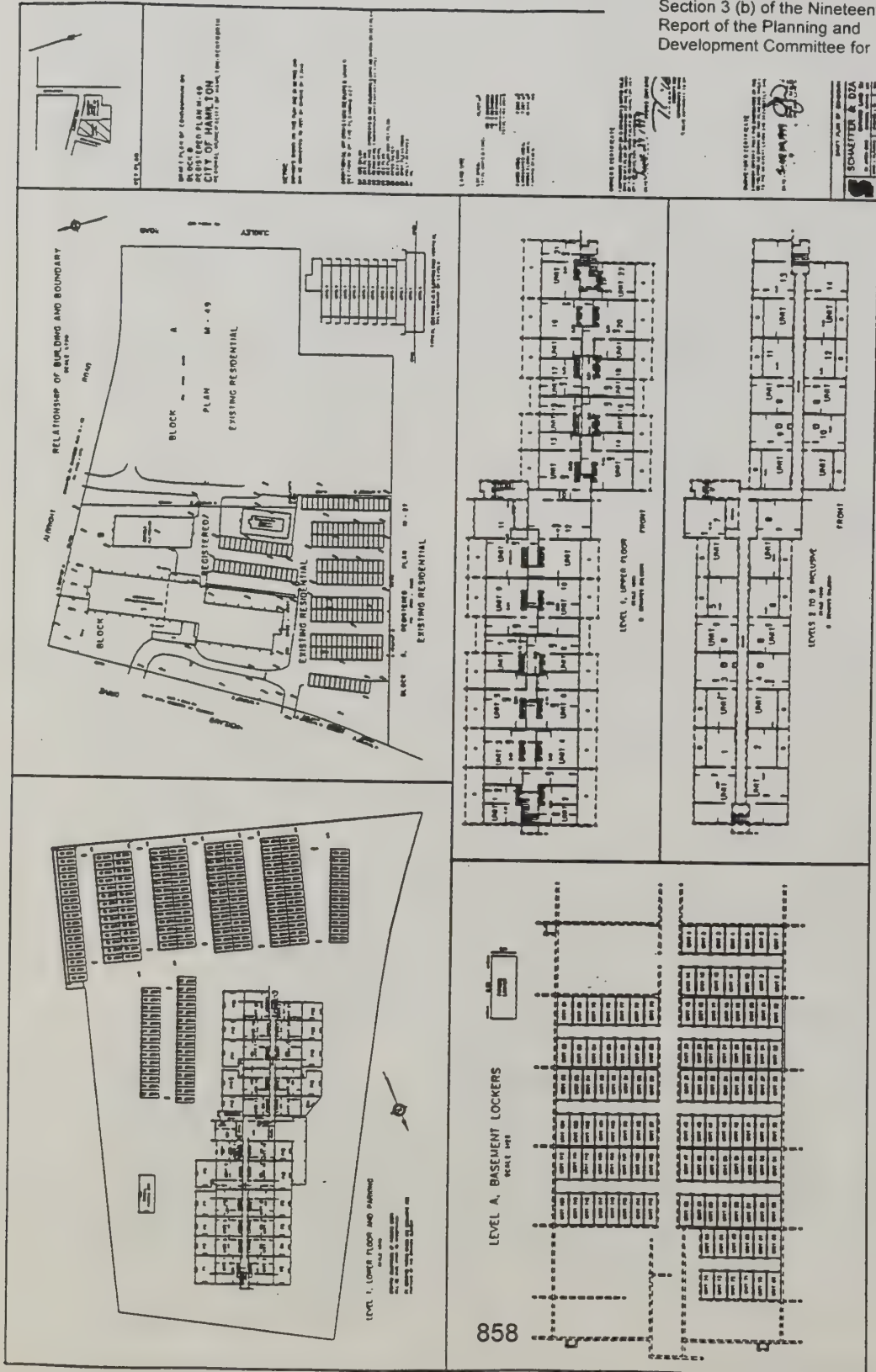
Technician:
B. B.

APPENDIX 'A'

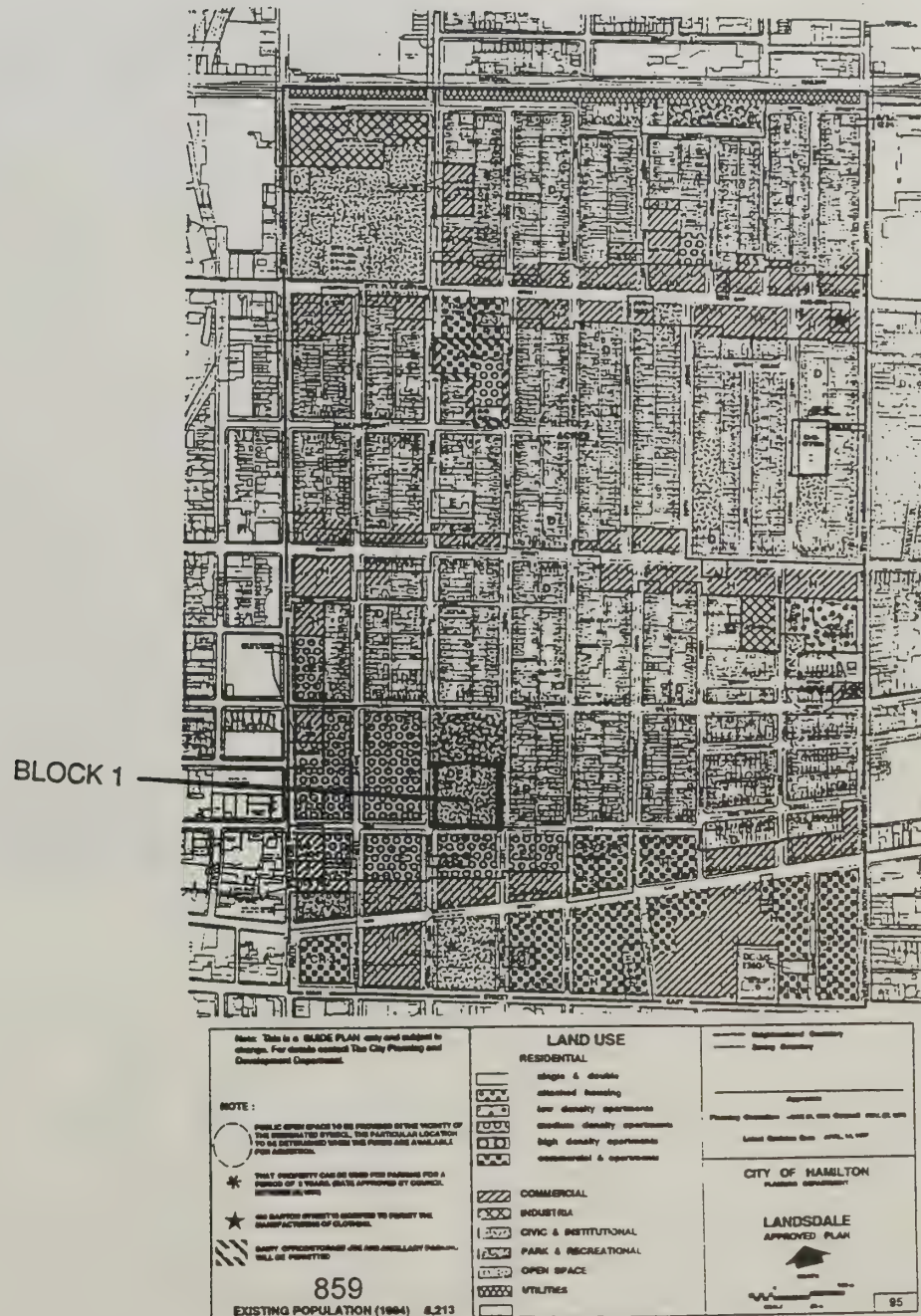
Appendix "B" referred to in
Section 3 (a) of the Nineteenth
Report of the Planning and
Development Committee for 1999



Appendix "C" referred to in
Section 3 (b) of the Nineteenth
Report of the Planning and
Development Committee for 1999



Appendix "D" referred to
In Section 5 (a) of the Nineteenth
Report of the Planning and
Development Committee for 1999





Block 1

From: "Medium Density
Apartments"
To: "Commercial"



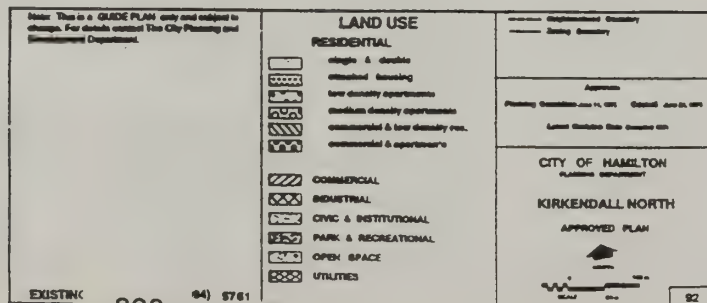
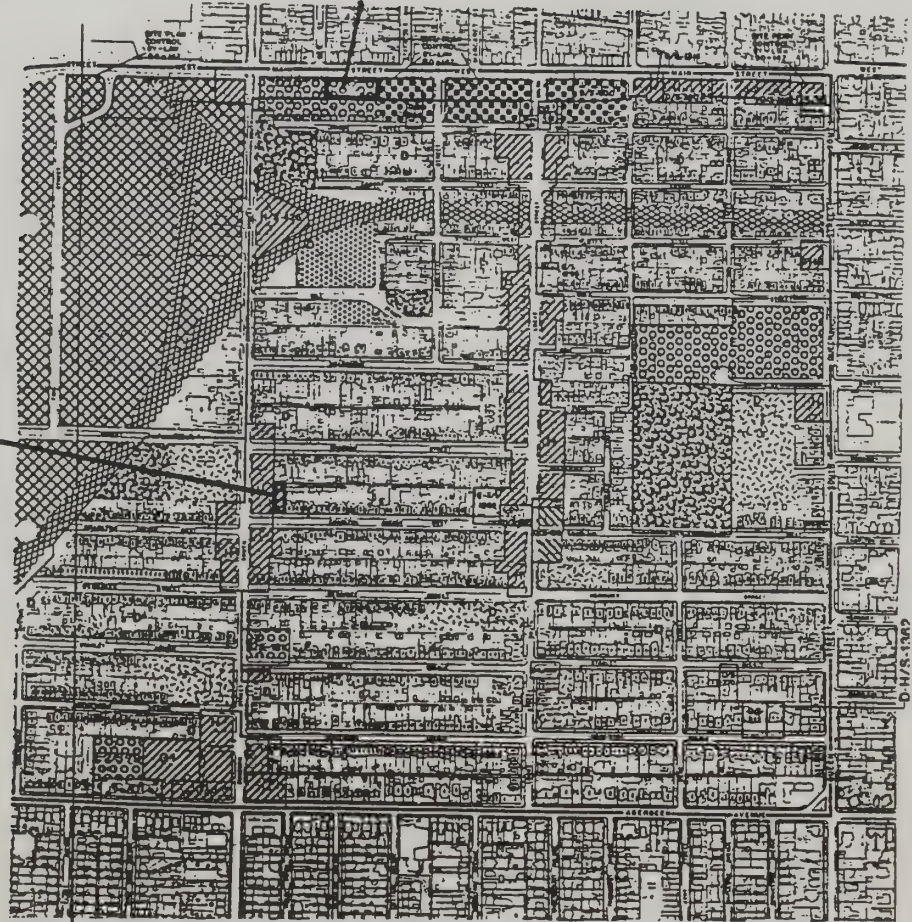
Block 2

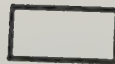
From: "Single & Double
Residential"
To: "Commercial"

Appendix "E" referred to in
Section 5 (b) of the Nineteenth
Report of the Planning and
Development Committee for 1999

BLOCK 1

BLOCK 2



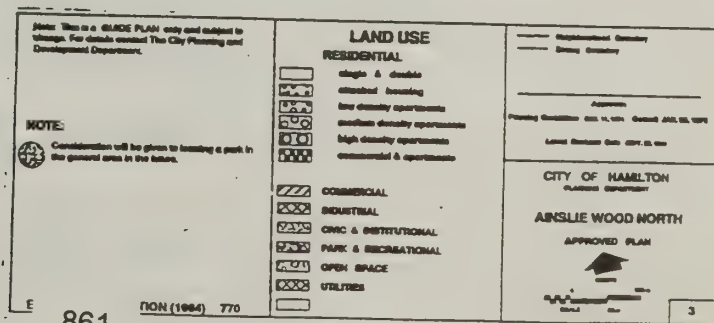


Block 1

From: "Utilities"

To: "Open Space"

Appendix "F" referred to
In Section 5 (c) of the Nineteenth
Report of the Planning and
Development Committee for 1999





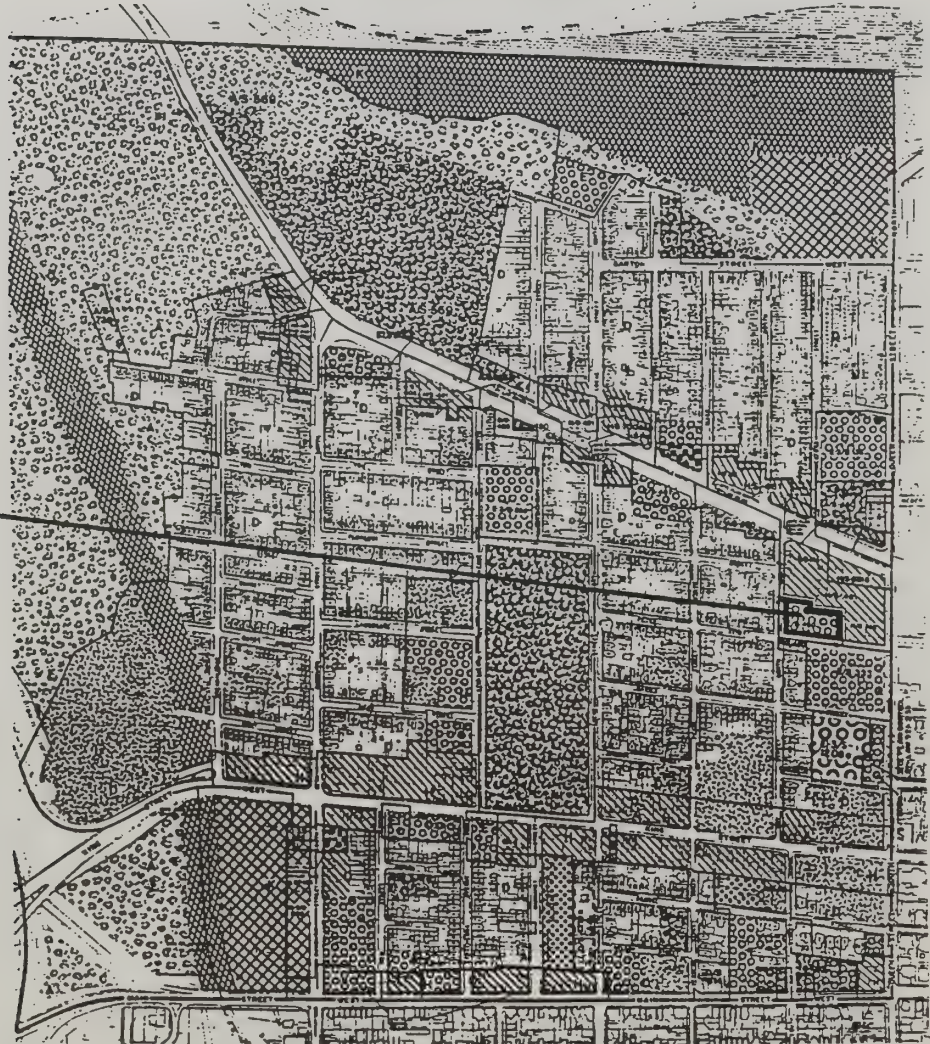
Block 1

From: 'Medium Density Apartments'

To: 'Attached Housing'

Appendix "G" referred to in
Section 5 (d) of the Nineteenth
Report of the Planning and
Development Committee for 1999

BLOCK 1



Note: This is a GUIDE PLAN only and subject to change. For details consult The City Planning and Development Department. 8.0 square foot yard estimate for new development on the west side of Lake Street (Block bounded Main Street and King Street). Selected commercial uses as listed off to be permitted and subject to site plan control: Professional offices, photographers or artists studios, bookstores or bookbinding establishments, retail shops or dressmakers shops -furniture shop, beauty parlour, wedding dress shop, carpet, drapery shop, etc. 862 EXISTING POPULATION (1994) 7,282		LAND USE RESIDENTIAL - single & double attached housing - low density apartments - medium density apartments - high density apartments - commercial & apartments COMMERCIAL INDUSTRIAL GOV & INSTITUTIONAL PARK & RECREATIONAL OPEN SPACE STREET	Legend: Regulated Boundary, Zoning Boundary Approved Planning Commission, 1999 Council and C. 1999 Local Statute Book Chapter 14, 1994 CITY OF HAMILTON PLANNING DEPARTMENT STRATHCONA APPROVED PLAN 127
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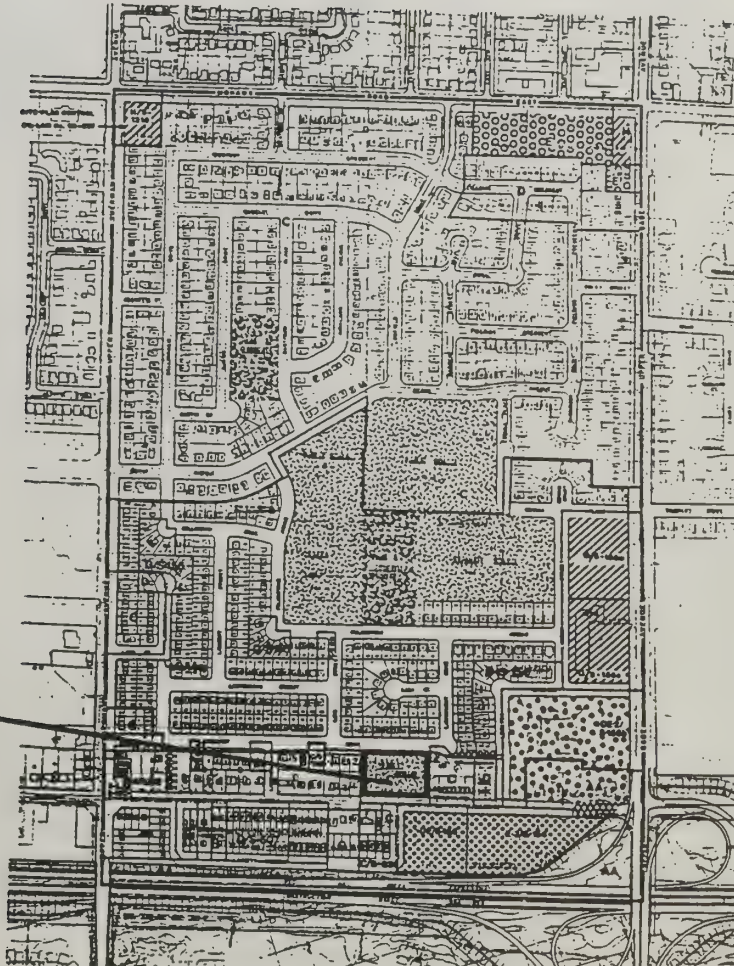
Block 1

From: "Civic & Institutional"

To: "Single & Double Residential"

Appendix "H" referred to in
Section 5 (e) of the Nineteenth
Report of the Planning and
Development Committee for 1999

BLOCK 1



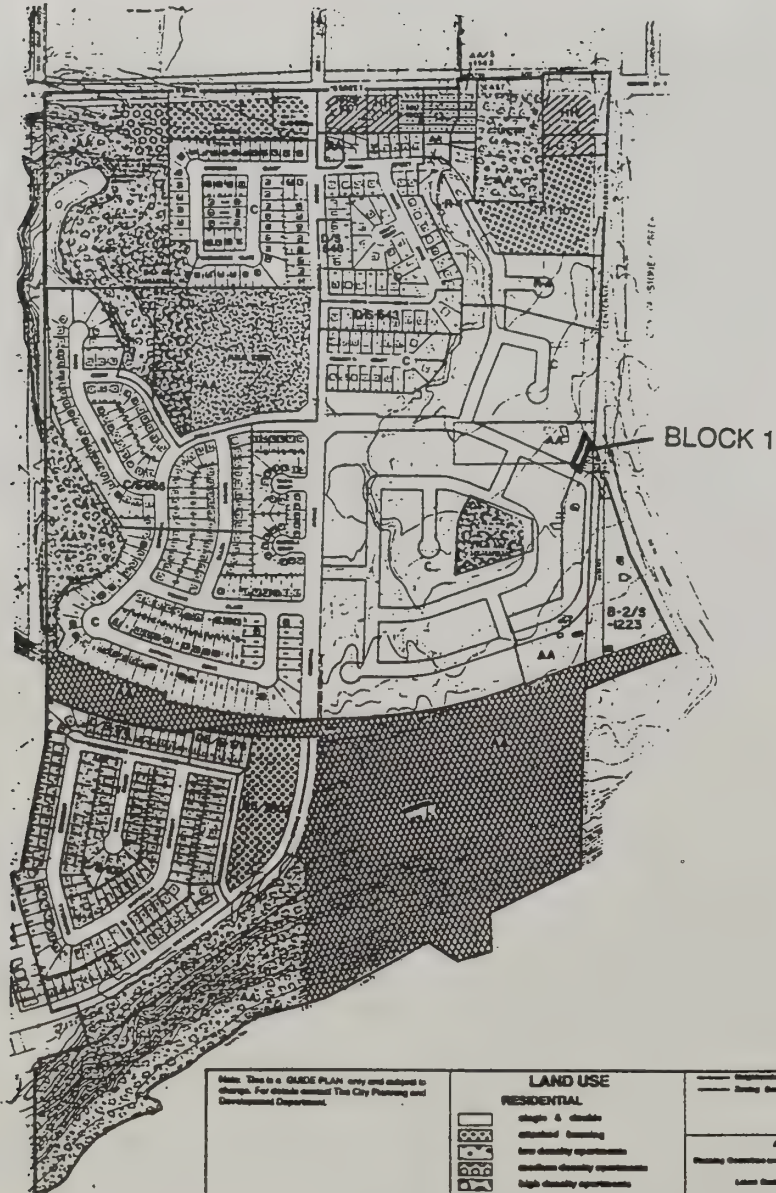
NOTE: This is a SKETCH PLAN only and subject to change. For details consult The City Planning and Development Department.	
LAND USE	
RESIDENTIAL - single & double - attached housing - low density apartments - medium density apartments - high density apartments - commercial & apartments	COMMERCIAL INDUSTRIAL CIVIC & INSTITUTIONAL PARK & RECREATIONAL OPEN SPACE UTILITIES
Legend: Development Boundary Existing Boundary	
APPROVED Planning Committee - OCT 19, 1999 Council - OCT 19, 1999 Local Residents - See attached L.R.	
CITY OF HAMILTON PLANNING DEPARTMENT LAWFIELD APPROVED PLAN Scale: 1" = 100'	
863 EX:	W (1994) 3,733 86

 Block 1

From: Slip-off Lane

To: "Single & Double Residential"

Appendix "I" referred to
In Section 5 (f) of the Nineteenth
Report of the Planning and
Development Committee for 1999



Note: This is a GMS PLAN only and subject to change. For details consult The City Planning and Development Department.

LAND USE

RESIDENTIAL

-  single & double
-  attached housing
-  low density apartments
-  medium density apartments
-  high density apartments
-  condominium & apartments

COMMERCIAL

INDUSTRIAL

CIVIC & INSTITUTIONAL

PARK & RECREATIONAL

OPEN SPACE

UTILITIES

COMPLEMENTARY CONSERVATION

864

EXISTING POPULATION (1994) - 1,900

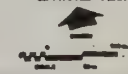
Regulatory Boundary
Planning Boundary

Approved
Planning Committee and City Council
Latter: Council and Mayor's Office

CITY OF HAMILTON
PLANNING DEPARTMENT

GERSHOME

APPROVED PLAN



Appendix "J" referred to in
Section 5 (g) of the Nineteenth
Report of the Planning and
Development Committee for 1999

Am. Title is a GUIDE only and subject to change. For details contact The City Planning and Development Department. LEGEND: Area Defined Exempt School Lands Public School Lands City Lands Area of Larger Use Highway Boundary Town Boundary EXISTING POPULATION (1994) 2778		LAND USE RESIDENTIAL  single & double  attached housing  low density apartments  medium density apt. units COMMERCIAL INDUSTRIAL CIVIC & INSTITUTIONAL PARK & RECREATION OPEN SPACE UTILITIES		Approved Stage 1 Only Planning Committee October 26, 1999 Stage 2 Committee Dec 14, 1999 & Dec 15, 1999 Stage 3 Committee Jan 10, 1999 & Jan 31, 1999 Latest Revision Date MM, DD, YYYY
CITY OF HAMILTON Planning Department GOURLEY APPROVED PLAN		63		

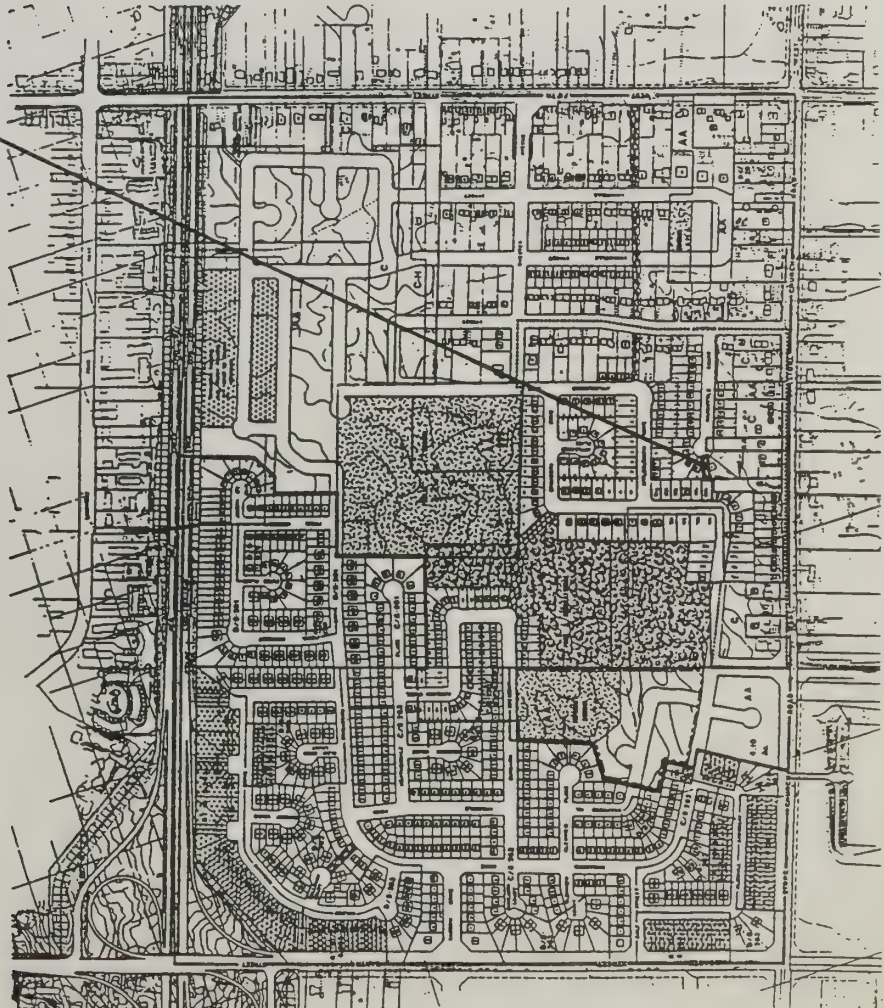


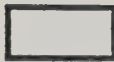
Block 1

From: 15ft Walkway

To: "Single & Double
Residential"

BLOCK 1





Block 1 From : "Civic & Institutional"
To: "Park & Recreational"

-change Acreage to 10.3 to reflect new property lines and remove Separate School Designation.



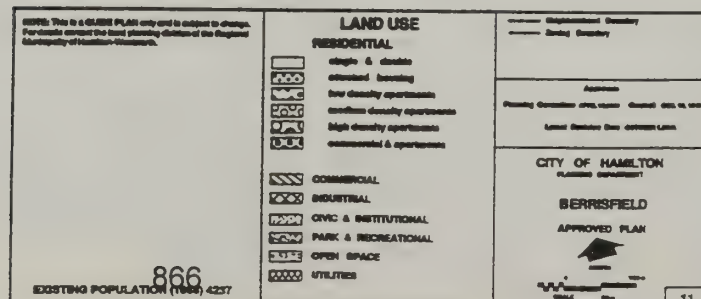
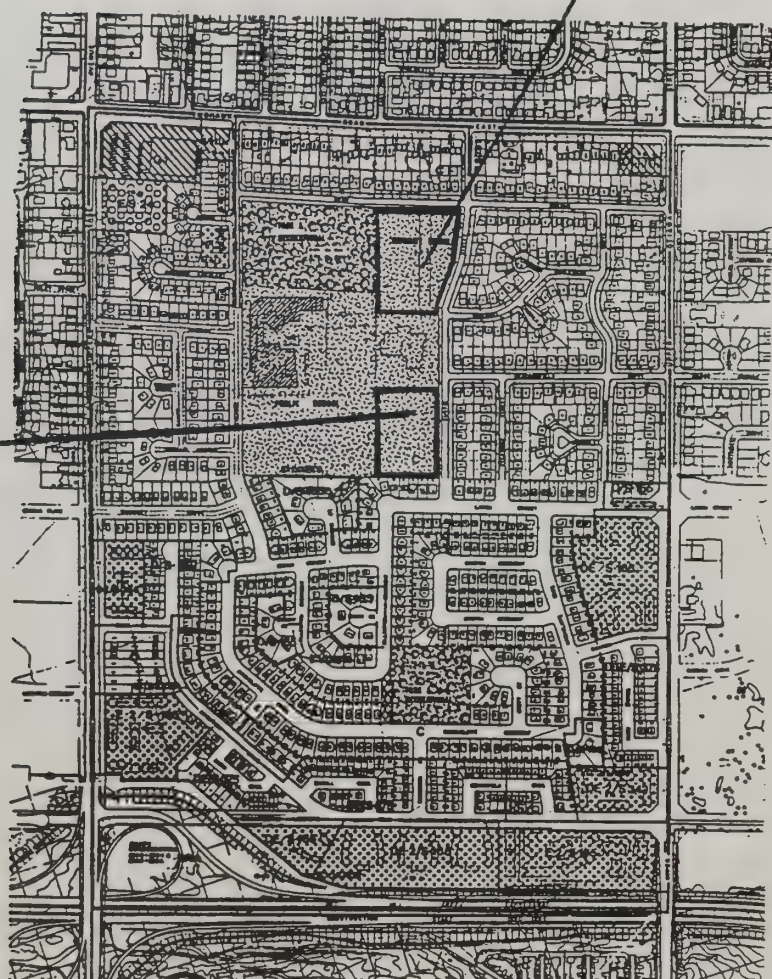
Block 2

-Rename Public School Lands to Separate School Lands with new acreage of 3.18
-change Public School lands acreage to 14.95 to reflect new property lines.

Appendix "K" referred to in
Section 5 (k) of the Nineteenth
Report of the Planning and
Development Committee for 1999

BLOCK 1

BLOCK 2



REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TWENTIETH** Report for 1999 and respectfully recommends:

1. **FCM BROWNFIELDS RESOLUTION**

WHEREAS Canada's historic industrial-based economy has shifted to a post-industrial information and service-based economy resulting in the closure of a significant number of industrial facilities across the country and, these closures have resulted in many municipalities being littered with brownfield sites, many of which are abandoned and subject to municipal property tax arrears;

AND WHEREAS the costs of remediation seriously impair the ability of the private sector and/or municipalities to undertake remediation of such brownfield sites, particularly those located in economically challenged areas and older urban centers;

AND WHEREAS, many industrialized nations (i.e. USA, UK) have committed funding through Federal and joint State/Provincial/Municipal programs to provide assistance to the private sector and municipalities for brownfield remediation and redevelopment;

AND WHEREAS, several industrialized nations also currently provide tax credits and other tax incentives to promote brownfield redevelopment;

THEREFORE BE IT RESOLVED THAT the FCM petition the Government of Canada to institute a comprehensive, stand-alone Brownfields Program that includes direct funding for the redevelopment and remediation of brownfield properties, and tax credits and other tax incentives for brownfields redevelopment;

October 26, 1999

AND BE IT FURTHER RESOLVED THAT in the interim, brownfield redevelopment be eligible for funds through any future Canada Infrastructure Works Program as referenced in the FCM's Quality of Life Infrastructure Program Proposal.

Respectfully submitted,

ALDERMAN F. D'AMICO, CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE

Tina Agnello, Secretary
October 26, 1999

November 9, 1999

**URBAN
MUNICIPAL**

Minutes of Hamilton City Council
Tuesday, November 9, 1999
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

There were present: Mayor R. Morrow, Chairman,
Aldermen M. Kiss, M. Caplan, R. Corsini,
B. Morelli, D. Haining, D. Wilson, C. Collins
F. Eisenberger, T. Jackson, B. Charters,
T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan.

Absent: Alderman G. Copps - Illness
Alderman A. Horwath - Illness

URBAN MUNICIPAL

Mayor R. M. Morrow called the meeting to order.

NOV 16 1999

The National Anthem was played.

GOVERNMENT DOCUMENTS

Reverend Bruce Woods, Retired, Hamilton Christian Fellowship, led Council in prayer.

PRESENTATIONS

Mayor R. Morrow presented medals to the Hamilton Hoppers Rope Skipping Team for winning Provincial and Canadian Championships.

Mayor R. Morrow introduced Ms. Vida Urbonas from television station W.W.S.B. Channel 40, Sarasota, Florida.

Mayor R. Morrow presented the Canadian Forces Award Presentation to Deputy Chief Jim Cardwell.

Mayor R. Morrow presented a Certificate of Recognition to the Concession Street Business Improvement Area for Sustainable Development Business Award.

ADOPTION OF MINUTES

The minutes of the regular meeting held October 26, 1999 were adopted as circulated.

CORRESPONDENCE

1. Application dated October 22, 1999 from Hash Estate (Thomas and Elva), George Taylor Q.C., Executor, 119 Collier Street, Barrie, Ontario for a modification to the established "H" (Community Shopping and Commercial, etc.) District to permit the expansion of the existing Residential Care Facility for 1320 – 1322 King Street East, Hamilton, Ontario.

Received.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Joint City/Region Budget Steering Committee, and the Report of His Worship Mayor R. M. Morrow be considered in Committee of the Whole with Alderman Kelly in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –15.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE – EIGHTH REPORT

Section 5 Re: Concrete Sidewalk Construction - LaFarge Construction

It was moved by Alderman Collins and seconded by Alderman Wilson that Section 5 of the Eighth Report for 1999 of the Transport and Environment Committee respecting Concrete Sidewalk Reconstruction, be amended by adding the following as sub-section (b):

- (b) That the contract awarded to LaFarge Construction for the reconstruction of concrete sidewalks on Justine Avenue, from Ottawa to King (both sides) 600m, and Justine Avenue, from Rosslyn to Ottawa (both sides) 400m, be subject to change orders being issued if more appropriate locations are determined by the Ward Aldermen, within the same approved budget amount.

CARRIED.

* * * * *

Section 9 Re: Certificate of Approval

It was moved by Alderman Collins and seconded by Alderman Wilson that Section 9 of the Eighth Report of the Transport and Environment Committee be amended by adding the following "should the Ministry approve the amendment to the Certificate of Approval " following the words Certificate of Approval in line three.

CARRIED.

* * * * *

Section 10 Re: Certificate of Approval

It was moved by Alderman Collins and seconded by Alderman Wilson that Section 10 of the Eighth Report of the Transport and Environment Committee be amended by adding the following "should the Ministry approve the amendment to the Certificate of Approval" following the words Certificate of Approval No. A650225.

CARRIED.

* * * * *

Rule No. 9 Re: No stopping on Corsica Court

It was moved by Alderman Anderson and seconded Alderman Jackson that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting No Stopping on both sides of Corsica Court.

CARRIED.

* * * * *

Section 15 Re: No Stopping on Corsica Court

It was moved by Alderman Anderson and seconded by Alderman Jackson that the following be added as Section 15 of the Eighth Report for 1999 of the Transport and Environment Committee:

15. No Stopping on Corsica Court

That the existing 'No Parking, 8am - 5pm, Monday to Friday' regulation on both sides of Corsica Court (including the bulb) be changed to a 'No Stopping, 8am - 4 pm, Monday to Friday' regulation, and that the City Traffic Bylaw 89-72 be amended accordingly".

CARRIED.

PARKS AND RECREATION COMMITTEE – TENTH REPORT

PLANNING AND DEVELOPMENT COMMITTEE – TWENTY-FIRST REPORT

Section 2 Re: 304 Kenilworth Avenue North - Demolition

It was moved by Alderman Wilson and seconded by Alderman D'Amico that Section 2 of the Twenty-First Report of the Planning and Development Committee be referred back to the Planning and Development Committee in order that the owners of this property be allowed to address the Committee.

CARRIED.

Section 3 Re: 308 Kenilworth Avenue North - Demolition

It was moved by Alderman Wilson and seconded by Alderman D'Amico that Section 3 of the Twenty-First Report of the Planning and Development Committee be referred back to the Planning and Development Committee in order that the owner of this property be allowed to address the Committee.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – TWENTY-SECOND REPORT

FINANCE AND ADMINISTRATION COMMITTEE - SIXTEENTH REPORT

Section 2 Re: Red Hill Creek Valley

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico. -14.

NAYS: Alderman O'Sullivan. -1.

CARRIED.

Section 8(b) Licensing By-law – Death of a taxicab owner

It was moved by Alderman Wilson and seconded by Alderman Jackson that Section 8(b) of the Sixteenth Report of the Finance and Administration Committee be referred back to the Licensing Committee for subsequent report to the Finance and Administration Committee. **CARRIED.**

Section 12 (e) (i) Millennium Projects

It was moved by Alderman O'Sullivan and seconded by Mayor Morrow that Section 12 (e) (i) of the Sixteenth Report of the Finance and Administration Committee be amended by renumbering this item as sub-section (f) and adding the following "subject to the funds being available from the 1999 Current Budget", and that sub-sections (ii), (iii), (iv) and (v) be renumbered accordingly. **CARRIED.**

JOINT CITY/REGION BUDGET STEERING COMMITTEE – FOURTH REPORT

Section 2 Re: Proposed new user fee for processing duplicate parking infraction notices

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: Alderman Caplan. -1.

CARRIED.

Section 3 Re: Proposed 2000-2001 User Fees Rates for Culture and Recreation Services

It was moved by Alderman Jackson and seconded by Alderman Charters that Section 3 of the Fourth Report of the Joint City/Region Budget Steering Committee be referred to the Parks and Recreation Committee. **CARRIED.**

**Section 4 Re: Proposed 2000-2001 User Fee Increases for Museums –
Department of Culture and Recreation**

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Corsini, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –12.

NAYS: Mayor Morrow, Aldermen Morelli, Haining. –3. **CARRIED.**

REPORT OF HIS WORSHIP MAYOR R. M. MORROW – THIRD REPORT

Section 2 Re: Culture and Recreation Restructuring

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Corsini, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –14.

NAYS: Alderman Haining. -1. **CARRIED.**

RESOLUTION

Rule No. 9 Re: Process for the acquisition and disposition of properties

It was moved by Alderman Charters and seconded by Alderman Collins that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to introduce an item respecting the process for the acquisition and disposition of properties. **CARRIED.**

* * * * *

Re: Process for the acquisition and disposition of properties

It was moved by Alderman Charters and seconded by Alderman Collins that staff be directed to prepare a report on a recommended process so as to provide for the acquisition and disposition of properties, to be dealt with by the Finance and Administration Committee. **CARRIED.**

* * * * *

Rule No. 9 Re: Ontario Psychiatric Hospital

It was moved by Alderman D'Amico and seconded by Alderman O'Sullivan that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to introduce an item respecting the Ontario Psychiatric Hospital and the surrounding green space. **CARRIED.**

* * * * *

Re: Ontario Psychiatric Hospital

It was moved by Alderman D'Amico and seconded by Alderman O'Sullivan that the Ministry of Health be advised that the City of Hamilton is opposed to the relocation of the Hamilton Psychiatric Hospital to a downtown location and is further opposed to the loss of any of the hospital grounds open green space or the loss of any of the designated heritage buildings of the hospital grounds.

CARRIED.

NOTICE OF MOTION

Alderman M. Kiss gave notice that she would move at the next regular meeting of City Council the following:

That the Council of the City of Hamilton request the Provincial and Federal Ministries of the Environment to conduct full Environmental Assessments and also government enquiries under all Provincial and Federal Legislation with respect to the proposed expansion of the Canadian Pacific Railway (St. Lawrence Hudson Railway) operations in the area of Highway 403, Longwood Road South and Aberdeen Avenue in order to ensure safety from potential negative impacts of any kind to persons or properties or any adverse environmental impacts of any kind that this operation may have on communities and neighbourhoods in the City of Hamilton.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Joint City/Region Budget Steering Committee, and the Report of His Worship Mayor R. M. Morrow and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 9:10 o'clock p.m.

* * * * *

Taken as read and approved,

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz
Municipal Clerk
November 9, 1999
JJS/dg**

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **EIGHTH** Report for 1999 and respectfully recommends:

1. **Routine Amendments to the City Traffic By-law 89-72
Transport and Environment Committee Meeting – November 1, 1999
(PWT99057)**

That the requests for routine amendments as listed in Appendix "A" attached hereto be approved, and that an appropriate by-law to amend the City Traffic By-law 89-72 be passed and enacted.

2. **Neighbourhood Watch Program for the Lawfield Neighbourhood
(PWT99051)**

- (a) That the Lawfield Neighbourhood be designated as a Neighbourhood Watch Area; and,
- (b) That Neighbourhood Watch signs for the Lawfield Neighbourhood be erected and maintained by the Department of Public Works and Traffic, as long as this neighbourhood maintains an active Neighbourhood Watch Program as determined by the Regional Police Department; and,
- (c) That the necessary funds be charged to the Neighbourhood Watch Program, Account No. COHAM-57670-464005.

3. **Temporary Road Closure: Robert Street between James Street North and Hughson Street North (TOE99014)**

That the application of F. Miranda, owner of the Lighthouse Seafood Bar and Restaurant, located at 224 James Street North, Hamilton, to temporarily close Robert Street between James Street North and Hughson Street North from Friday December 31, 1999 at 9:00 a.m. to Saturday January 1, 2000 at 9:00 a.m., to hold a neighbourhood street festival, be approved, subject to the following conditions:

- (a) That the prior approval of the Chief of Police or his designate be received, and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and,
- (b) That the applicant provide proof of \$5,000,000 public liability insurance, naming the City and the Region as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
- (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his designate; and,
- (d) That all barricading be supplied by and at the expense of the applicant; and,
- (e) That "Temporary Road Closure" signs be installed, in advance, on the affected roadways, if deemed necessary by the General Manager of Transportation, Operations and Environment and at the expense of the applicant; and,
- (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and the Region and at the expense of the event organizer; and,
- (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
- (h) That all property owners and tenants within the closure area of the route be notified of the event by the applicant, prior to the event, in a form acceptable to the General Manager of Transportation, Operations and Environment; and,
- (i) That the applicant be granted an extension to the City of Hamilton Noise By-law No. 79-292 to continue the music until 2:00 a.m. on January 1, 2000 and that a City of Hamilton Noise By-law Officer be in attendance throughout the event, at the expense of the applicant; and,
- (j) That the AGCO be advised that the City of Hamilton is aware of the application of the Lighthouse Seafood Bar and Restaurant for a temporary extension of its liquor licence to serve alcohol on the road allowance of Robert Street until 2:00 a.m. on January 1, 2000, and the City has no objection to the AGCO issuance of the appropriate liquor licence for this event.

4. **Winter Service Standards on Regional Roads (RDS99160)**

- (a) That the City of Hamilton maintain its service delivery standards at the 1998 level for the 1999-2000 winter season; and,
- (b) That the Region's Transportation Services Committee be so advised.

5. **Concrete Sidewalk Reconstruction (PWT99066)**

- (a) That A. Cosmos Concrete & Paving Ltd., Hamilton be awarded Parts A and C and LaFarge Construction be awarded Part B of the tender to reconstruct concrete sidewalks at various locations, in accordance with the specifications issued by the Purchasing Division (Ref: C11-4699); and,
- (b) That the contract awarded to LaFarge Construction for the reconstruction of concrete sidewalks on Justine Avenue, from Ottawa to King (both sides) 600m, and Justine Avenue, from Rosslyn to Ottawa (both sides) 400m, be subject to change orders being issued if more appropriate locations are determined by the Ward Aldermen, within the same approved budget amount. **ADDED.**

6. **Intersection of Arno Street and Templemead Drive - Intersection Control (PWT99064)**

- (a) That a three-way stop control at the intersection of Arno Street and Templemead Drive, be implemented; and,
- (b) That City Traffic By-law 89-72 be amended accordingly.

7. **Intersection of Acadia Drive and Acadia Drive - Intersection Control (PWT99063)**

- (a) That an all-way stop control at the intersection of Acadia Drive and Acadia Drive (northwest intersection), be implemented; and,
- (b) That City Traffic By-law 89-72 be amended accordingly.

8. **Parking Enforcement Levels (PWT99062)**

That, in accordance with the October 12, 1999 City Council directive "that the 1999 Parking Enforcement levels previously approved by the City Council be reduced to the 1998 levels":

(a) The Committee be informed that the following operational changes will be implemented to achieve a lower level of enforcement:

- (i) That Parking Control Officers continue to work overnight on Fridays and Saturdays, but enforcement of the "Through Street" regulations on Friday and Saturday nights be held in abeyance until the Transport and Environment Committee/Regional Transportation Services Committee have an opportunity to address and rationalize the regulations on the streets which are of concern to various members of Council; and,
- (ii) That enforcement of illegally parked vehicles on the wrong side of the street during the changeover day on "Alternate Side Parking" streets not begin before 10:00 am on weekdays and not before 12:00 noon on weekends.

(NOTE: The City Traffic By-law already provides a grace period where vehicles may be parked on both sides of the street from 11:00 pm the night before, until 8:00 am on the changeover day. This grace period allows motorists to move their vehicles either before retiring for the day or early the next morning); and,

- (iii) That no changes be made to the enforcement levels in the downtown core area as they are currently provided in accordance with 1998 levels; and,
- (iv) That the overnight parking prohibition in municipal car parks be rated very low in terms of enforcement attention and generally not be enforced except on a complaint/problematic basis; and,
- (v) That staffing levels be adjusted such that officers will be able to enforce parking for special events only on a safety/complaint/problematic basis, or where special parking programs are in place; and,

- (b) That the staff compliment of the Parking Control Section be adjusted as follows:

Add

By-law Services Officer	1.0 FTE
Parking Control Supervisor	1.0 FTE

Delete

Corps of Commissionaires (vacant contract positions)	3.0 FTE
Parking Control Officer	<u>1.0 FTE</u>
Net Reduction of FTE's	2.0 FTE

- (c) That two Parking Control Officers be again assigned to assist the Hamilton-Wentworth Regional Police, as needed, with enforcement of Traffic By-law regulations other than parking or stopping; and,
- (d) That any shortfall in parking enforcement revenues for 1999 be funded as follows:
- (i) Firstly, from any Public Works and Traffic Departmental surplus; and,
 - (ii) Secondly, from any Transportation, Operations and Environment Division surplus; and,
 - (iii) Thirdly, from any general levy surplus; and,
 - (iv) Lastly, from a source recommended by the General Manager of Finance.

9. **Canadian Waste Services Inc., 245 Lottridge Street – Amendment to Certificate of Approval**

That the West Central Branch of the Ontario Ministry of the Environment be advised that the City of Hamilton objects to the proposed operation and recommends that the following be part of the Certificate of Approval, should the Ministry approve the amendment application by Canadian Waste Services Inc. (CWS), located at 245 Lottridge Street, Hamilton, for an amendment to Certificate of Approval No. A100130: **AMENDED.**

- (a) CWS shall take all reasonable effort to ensure that all incoming and outgoing truck vehicles to and from the site will be directed to access and exit the site exclusively from Landsdowne Avenue, or from the northerly portion of Lottridge Street, north of the east-west CNR tracks; and,
- (b) CWS shall ensure that an appropriate waste deodorizer be applied on all waste piles regardless of the presence of odours, at a minimum, at the end of every day and on a more frequent basis during the day as climactic conditions dictate; and,
- (c) CWS shall ensure that at all times, rodent traps/bait locations are established on the site and are fully operational on a continuing basis.

10. **Plaza Integrated Environments Ltd., 3 Hillyard Street – Application for a Waste Disposal Site, Processing, Certificate of Approval.**

That the West Central Branch of the Ontario Ministry of the Environment be advised that the City of Hamilton objects to the proposed operation and recommends that the following be part of the Certificate of Approval No. A650225 should the Ministry approve the Certificate of Approval for Plaza Integrated Environments Ltd. at 3 Hillyard Street, Hamilton: **AMENDED.**

- (a) Front-end loaders will only be permitted to operate at the site between 0730 and 2100 hours; and,
- (b) All vehicle doors for the main building structure shall remain closed after 2100 hours; and,
- (c) All unprocessed and processed waste material shall be stored indoors and/or under a roof covering extending from the main building structure in covered, portable lugger boxes; and,
- (d) All bulking of waste materials shall occur inside the main building structure; and,
- (e) All loading and unloading of waste material shall occur inside the main building structure.

11. Enforcement of Certificates of Approval

That staff be directed to investigate the feasibility of assigning inspectors to monitor and enforce the regulations of the Certificates of Approval issued by the Ministry of the Environment, including jurisdictional issues, budget implications, etc., and bring a report back to the Committee.

12. All-way Stop Control – Intersection of Montclair Avenue and Rosslyn Avenue, City of Hamilton

- (a) That an all-way stop control at the intersection of Montclair Avenue and Rosslyn Avenue, be implemented;
- (b) That City Traffic By-law 89-72 be amended accordingly.

13. Appointment of Acting Director of Public Works and Traffic

That Charlie Guthro be appointed Acting Director of Public Works and Traffic.

14. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-49 Being a By-law to Amend By-law No. 89-72 to Regulate Traffic
- (b) A-50 Being a By-law to Amend By-law No. 89-72 to Regulate Traffic

15. No Stopping on Corsica Court

That the existing 'No Parking, 8am - 5pm, Monday to Friday' regulation on both sides of Corsica Court (including the bulb) be changed to a 'No Stopping, 8am – 4 pm, Monday to Friday' regulation, and that the City Traffic Bylaw 89-72 be amended accordingly". **ADDED.**

Respectfully Submitted,

**ALDERMAN CHAD COLLINS, CHAIRMAN
TRANSPORT AND ENVIRONMENT
COMMITTEE**

Carolyn Biggs
Secretary
November 1, 1999

**Appendix "A" as referred to in
Section 1 of the Eighth Report
of the Transport and
Environment Committee**

Ward 1

- (a) Staff has received a request from Holly Osadciw, 168 Locke Street South, that a "No Stopping" regulation be implemented on both sides of Blanshard as delivery vehicles using this street for loading purposes are prohibiting the through traffic movement. Blanshard has a pavement width of only 12 feet. Kim Crawford, 2 Blanshard Street, the only resident abutting this street, has advised that she supports the request.
- (b) Mrs. Alma Gale, 433 Charlton Avenue West, has requested the implementation of a reserved "Permit Parking" regulation on the south side of Charlton, in front of her home, since she is disabled.
- (c) Alderman Marvin Caplan has advised of a request from Mrs. Ettie Spoelstra, 26 Clifford Avenue, that a "No Stopping" regulation be implemented on the east side of Emerson at Whitney (north leg) to improve turning movements within the intersection.

Ward 2

- (a) Ms. Maureen Danks, 556 Mary Street, has requested the implementation of a reserved "Permit Parking" regulation on the east side of Mary, south of Burlington, in front of her home, since her mother, who resides with her, is disabled.
- (b) Mr. Marian Malecki, 162 Simcoe Street East, has requested the implementation of a reserved "Permit Parking" regulation on the south side of Simcoe, directly in front of his home, since he is disabled.
- (c) Aznive Mallett, Executive Director, Path Employment Services, has requested that the existing "Wheelchair Loading Zone" on the east side of Ferguson, north of King William, be relocated to the west side of Catharine, south of King, as the agency is relocating to 140 King Street East in December. There will be a slight loss of revenue associated with the removal of one metered parking space on the west side of Catharine.

Ward 3

- (a) Ms. Rose Rizzo, 18 Oak Avenue, has requested the implementation of a reserved "Permit Parking" regulation on both sides of Oak, since she is disabled. Presently, there is an "Alternate Side Parking" regulation on Oak. Mr. and Mrs. Wilson, 17 Oak Avenue, have advised that they support the request.
- (b) Mr. William Dougall, 399 Avondale Street, has requested the removal of the existing reserved "Permit Parking" regulation on Avondale, adjacent to his home, as his mother-in-law has passed away.
- (c) Mr. Jean Gauthier, 35 Francis Street, has requested the implementation of a reserved "Permit Parking" regulation on both sides of Francis, since he is disabled. Presently, there is an "Alternate Side Parking" regulation on Francis. Duarte Piques, 38 Francis Street, has advised that he supports the request.
- (d) Mr. Al Lehman, 12 Oliver Street, has requested the implementation of a reserved "Permit Parking" regulation on the south side of Oliver, directly in front of his home, since his wife is disabled.
- (e) Mr. Qureshi, 35 ½ Primrose Avenue, has requested the implementation of a reserved "Permit Parking" regulation on the south side of Primrose, opposite his home since he is disabled. Marion Knight, 34 Primrose Avenue, has advised that she supports the implementation of the subject regulation directly in front of her home.

Ward 4

- (a) Mr. Brian Desjardins, 179 Fairfield Avenue, has requested the implementation of a reserved "Permit Parking" regulation on the west side of Fairfield, directly in front of his home, since he is disabled.
- (b) Mr. Dan Murphy, 138 McAnulty Boulevard, has requested the implementation of a reserved "Permit Parking" regulation on the south side of McAnulty, in front of his home, and on the north side of McAnulty in front of Nos. 109 and 111 McAnulty Boulevard, since he is disabled. The residents of both 109 and 111 McAnulty Boulevard have advised that they support of the regulation.
- (c) Ms. June Walker, 90 Cambridge Avenue, has requested the implementation of a "Wheelchair Loading Zone, 8:00 am to 10:00 pm, Seven Days a Week" regulation on the south side of Cambridge, directly in front of her home, since she requires the use of DARTS vehicles.

- (d) Staff has received a petition signed by representatives of 19 of the 28 homes abutting Paling between Barton and Vansitmart requesting that the existing "Alternate Side Parking" regulation be removed from the block. All 19 of the residents that signed the petition are in favour of removing the regulation to allow unrestricted parking on both sides of the street. Parking is presently permitted on both sides of the street in the block to the north.
- (e) Mr. Dave Rondeau, 308 Cope Street, has requested that the existing full-time "Wheelchair Loading Zone" in front of 306 Cope Street and installed for the benefit of his partner, Ms. Beverly Lutz, in February of this year, be removed as Ms. Lutz has passed away. Further, staff recommends that the "No Stopping" signal clearance regulation be restored to its original dimension of 75 feet.

Ward 5

- (a) Mr. Altobelli, 16 Nelligan Place, has requested the removal of the full-time "Wheelchair Loading Zone" on the south side of Nelligan, in front of his home, as his son has passed away.

Ward 6

- (a) Alderman Tom Jackson has advised staff of a request from Mr. Eric Dougherty, 38 Behan Street, for all-way stop control at the intersection of Behan and Brendan. Staff has reviewed the matter and consider that all-way stop control would be more suitable at Behan and Billington, one block westerly. Both Aldermen Tom Jackson and Bob Charters have been apprised of the situation and concur with staff. Presently, the intersection is uncontrolled and Mr. Dougherty has no objection to adding northbound, eastbound and westbound stops.

Ward 7

- (a) Ms. Laurie-Anne Wannabaker, Principal of Ridgemount School, 65 Hester Street, has requested that the existing School Bus Loading Zone located on Ronaldshay be shortened and that an additional School Bus Loading Zone be implemented in order to shorten the distance that children must walk when entering or exiting the school.
- (b) Alderman Bill Kelly, on behalf of the area residents, has requested that a full-time "No Parking" regulation be implemented on the west side of Upper Wentworth between Vineberg and Bianca to facilitate two-way traffic flow.

Ward 8

- (a) Staff has received a petition, signed by representatives of 14 of the 15 residential properties abutting Arcade from Gateview to the southerly end, requesting that a "One Hour Parking Time Limit, 8:00 am to 6:00 pm, Monday to Friday" regulation be implemented on the west side and a full-time "No Parking" regulation be implemented on the east side of the street in this block. All 14 residents are in favour of the requested regulations.

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **TENTH** Report for 1999 and respectfully recommends:

1. **Trans Canada Trail Relay 2000 endorsed as City Event**

That the Trans Canada Trail Relay 2000 to be held in Hamilton on August 21, 2000, be endorsed as a City of Hamilton event.

2. **Approval of Name for the Riverdale East Neighbourhood Park as "Oakland Park" (PWT99058)**

That approval be given to the name of "Oakland Park" for the Neighbourhood Park in the Riverdale East Neighbourhood bounded by Prins, Vittorito and Highridge Avenues.

3. **Request for Grant Funding from the Hamilton Community Foundation for Community Consultations on the Arts (CSC99032)**

That the Arts Advisory Commission be authorized to partner with the Hamilton and Region Arts Council in submitting a grant request application to the Hamilton Community Foundation for a series of Community Consultations on the Arts in the amount of \$12,000.

4. **Appointment of New Member – New Mum Show Sub-Committee**

That, notwithstanding Section 11(b)(ii) of the FIFTH Report of the Finance and Administration Committee for 1998 as adopted by City Council on February 10, 1998 requiring that all citizen member vacancies on City Committees be advertised, Armond Coderre be appointed to serve on the New Mum Show Sub-Committee to fill the unexpired term of office to November 30, 2000, created by the resignation of Barbara Bragdon.

5. **Sale of Part 1, Plan 62R-15097 (1389 Upper James Street – Barton Community Centre Property) to J & A Riccio Developments Inc. In Trust and the Conveyance of Part 2, Plan 62R-15097 to the Region for Road Widening Purposes (CS99020)**

- (a) That an Offer to Purchase Agreement, executed by J & A Riccio Developments Inc. In Trust on October 15, 1999 and scheduled to close on or before July 2, 2000, for real property legally described as Part 1, Plan 62R-15097 and municipally described as 1389 Upper James Street, Hamilton (Barton Community Centre property), having a frontage of 30.27 m (99.3 feet) along the east side of Upper James Street and a depth of 174.0 m (571 feet) more or less, and an area of 0.53 ha (1.31 acres) more or less, be approved and completed and the funds derived from this sale in the amount of \$505,000, less the real estate sales commission, be credited to Account No. 709955040 (Asset Management Recreation Account) (specifically improvements/upgrades to the Walker Outdoor Pool in the William Bethune Park); and,
- (b) That the required deposit cheque in the amount of \$25,000 be held by the General Manager, Finance pending completion of this transaction; and,
- (c) That upon successful completion of this sale, a real estate commission of \$27,750, plus GST (6% of the first \$250,000 and 5% on the balance of the sale price) be paid out of the \$505,000 purchase price to Chambers Hall Real Estate Inc. (Sales Representative Jack Robertson), who acted in this matter; and,
- (d) That this Offer to Purchase Agreement be conditional upon the City's standard conditions and the following additional conditions:
 - (i) The Purchaser shall be responsible for constructing a commercial grade fence, 6 feet minimum height, across the rear (east) lot line separating the subject parcel from the adjacent City park within four (4) months of the date of completion or as otherwise required as a condition of Site Plan approval; and,
 - (ii) It is understood and agreed that:
 - (1) This Offer is conditional until June 2, 2000 for the Purchaser, at his own cost and expense, making application for and obtaining re-zoning and site plan approvals of said property to an appropriate commercial zone and approval to demolish the existing building, failing which this Offer to Purchase agreement shall be null and void and the deposit returned by the Vendor to

the Purchaser without interest and the Vendor shall not be liable for any damages or costs; and,

- (2) The Vendor permits the submission by the Purchaser of a re-zoning application and agrees to execute such documentation necessary in connection with the said re-zoning; and,
 - (3) The Purchaser acknowledges and agrees that the Vendor's permission to the application(s) does in no way fetter the City's authority to approve or deny the application(s); and,
- (e) That the conveyance of a 3.048 m (10 foot) wide strip of land across the front of the property designated as Part 2, Plan 62R-15097, from the City to the Region for the purpose of widening Upper James Street, be approved and completed as a dedication;
 - (i) Corporate Counsel be authorized and directed to prepare the deed for the transfer of land from the City of Hamilton to the Region of Hamilton-Wentworth of Part 2, Plan 62R-15097 and directed to complete the transfer immediately preceding the transfer of Part 1, Plan 62R-15097; and,
- (f) That the Municipal Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (i) the property was declared surplus by City Council on April 27, 1999 pursuant to Item 7 of the Fifth Report of the Parks and Recreation Committee; and,
 - (ii) satisfactory notice has been given to the public of the intended sale by the following method: listing the property for sale with a real estate broker and on the MLS of the Hamilton-Burlington and District Real Estate Board; and,
 - (iii) an appraisal of fair market value of this real property intended to be sold was obtained on May 25, 1999.

6. **Out of the Blue Skydivers – Approval to Perform a Parachute Drop inside Ivor Wynne Stadium on November 14, 1999 during the Hamilton Tiger Cat Football Pre-Game (CSC99034)**

That approval, as required by Section 23 of the Parks By-law No. 95-126, as amended, be given to the Out of the Blue Skydivers to perform a parachute drop inside Ivor Wynne Stadium on Sunday, November 14, 1999 during the Hamilton Tiger-Cat Football pre-game, subject to the Terms and Conditions of the Special Events Guidelines.

7. **Chedoke Twin Pad Arena – Legal Redress for Building Deficiencies (CSC99024)**

- (a) That the Director of Legal Services commence appropriate proceedings on behalf of the City of Hamilton with a view to obtaining indemnification on their behalf for expenses paid out in an effort to effect remediation of deficiencies associated with the construction of the Chedoke Twin Pad Arena; and,
- (b) That the Director of Legal Services be given authority to carry out all necessary steps and proceedings to initiate and prosecute such an action, including:
 - (i) drafting, approving, delivering, executing, filing and registering any and all necessary legal and related documents; and,
 - (ii) adducing various forms of required evidence and securing or interviewing expert and other witnesses as required, including appropriate City and Regional Staff; and,
 - (iii) attending and participating before and in any and all courts, hearings, motions, negotiations, fact-finding or other proceedings; and,
 - (iv) pursuing the matter of costs and other related procedural Orders on behalf of the Corporation; and,

November 9, 1999

- (c) That the Director of Legal Services be required to report to City Council with any and all decisions, orders, memoranda of agreement, offers of settlement, proposals or other arrangements made by any court, agency, legal official or the parties concerning the matters outlined in Report No. CSC99024.

Respectfully submitted,

**ALDERMAN B. MORELLI, CHAIRMAN
PARKS AND RECREATION COMMITTEE**

**Charlene Touzel, Secretary
November 1, 1999**

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TWENTY-FIRST** Report for 1999 and respectfully recommends:

1. Eleventh Annual Public Service Announcement (PWT99059)

That the City of Hamilton's Public Works and Traffic Department, in conjunction with the Keep Hamilton Clean Committee, hold the Eleventh Annual Public Service Announcement Competition through Mohawk College Media Studies Program and Cable 14 at a total cost of \$2,500.

2. 304 Kenilworth Ave N – demolition (PDC99113)

That the Building Commissioner be authorized to issue a demolition permit for 304 Kenilworth Avenue North in accordance with By-law #74-290 pursuant to Section 33 of The Planning Act, as amended.

REFERRED BACK TO THE PLANNING AND DEVELOPMENT COMMITTEE

3. 308 Kenilworth Ave N – demolition (PDC99114)

That the Building Commissioner be authorized to issue a demolition permit for 308 Kenilworth Avenue North in accordance with By-law #74-290 pursuant to Section 33 of The Planning Act, as amended.

REFERRED BACK TO THE PLANNING AND DEVELOPMENT COMMITTEE

4. 1391 Barton St E – demolition (PDC99115)

That the Building Commissioner be authorized to issue a demolition permit for 1391 Barton Street East in accordance with By-law #74-290 pursuant to Section 33 of The Planning Act, as amended.

5. Remove Part-Lot Control – Lots 1-24, & Blocks 25-28, Reg Plan 62M-885 “Wellington Estates, Phase 1” & Blocks 19-22, Reg Plan 62M-823 “Allison Estates, Phase 4” (PDC99121)

- (a) That approval be given to Part Lot Control Application 99-07, 839891 Ontario Inc., owner (A. DiSilvestro, president), to remove part-lot control for Lots 1 – 24, inclusive and Blocks 25 – 28, inclusive, located in “Wellington Estates, Phase 1”, Registered Plan 62M-885, and Blocks 19 – 22, inclusive, Registered Plan 62M-823 “Allison Estates, Phase 4” for lands fronting on Meadowpoint Drive and Jacqueline Boulevard, for the purpose of establishing maintenance easements and rights-of-encroachment, as shown on the attached map marked as Appendix “A”;
- (b) That the appropriate by-law, to remove part lot control from Lots 1 – 24, inclusive and Blocks 25 - 28, inclusive, Registered Plan 62M-885 “Wellington Estates, Phase 1” and Blocks 19 – 22, inclusive, Registered Plan 62M-823 “Allison Estates, Phase 4”, be enacted by Council;
- (c) That the exempting by-law be restricted to a 1 year effective time period to expire on December 1, 2000;
- (d) That following the enactment of this by-law, the Director, Land Development Department, Community Planning and Development Division (as delegate of the Minister of Municipal Affairs and Housing) be requested to grant approval to the by-law and endorse the same on the by-law.

6. Remove Part-Lot Control – Block 52, Reg Plan 62M-743 “Rymal Square Estates, Phase 4” (PDC99120)

- (a) That approval be given to Part Lot Control Application 99-10, Paul Silvestri, owner, to remove part-lot control for Lots 2 - 5, inclusive and Block 6, Registered Plan 62M-891, “Olmsted Park, Phase 2”, known municipally as 2, 6, 10, 14 and 18 Marilyn Court, for the purpose of establishing maintenance easements, as shown on the attached map marked as Appendix “B”;
- (b) That the appropriate by-law, to remove part lot control from Lots 2 – 5, inclusive and Block 6, Registered Plan 62M-891, “Olmsted Park, Phase 2”, be enacted by Council;
- (c) That the exempting by-law be restricted to a 1 year effective time period to expire on December 1, 2000;

- (d) That following the enactment of this by-law, the Director, Land Development Division, Community Planning and Development Division (as delegate of the Minister of Municipal Affairs and Housing) be requested to grant approval to the by-law and endorse the same on the by-law.

7. Remove Part-Lot Control – Lots 2-5, & Block 6, Reg Plan 62M-891, "Olmstead Park, Phase 2" (PDC99119)

- (a) That approval be given to Part Lot Control Application 99-09, Rymal Square Development Inc, owner (A. Weisz, president), to remove part-lot control for Block 52, located in "Rymal Square Estates, Phase 4", Registered Plan 62M-743 for lands known municipally as 565 Rymal Road East, for the purpose of establishing mutual rights-of-way between two phases of a condominium development and establishing easements for rear yard access, as shown on the attached map marked as Appendix "C";
- (b) That the appropriate by-law, to remove part lot control from Block 52, Registered Plan 62M-743 "Rymal Square Estates, Phase 4", be enacted by Council;
- (c) That the exempting by-law be restricted to a 1 year effective time period to expire on December 1, 2000;
- (d) That following the enactment of this by-law, the Director, Land Development Department, Community Planning and Development Division (as delegate of the Minister of Municipal Affairs and Housing) be requested to grant approval to the by-law and endorse the same on the by-law.

8. Core Heritage 2000 Program, 76 George Street (HSB99004)

That a grant, for façade improvements, under the Core Heritage 2000 Program in the amount of three thousand, four hundred and forty (\$3,440) to 822994 Ontario Limited, registered owner of 76 George Street North, be approved.

9. Core Heritage 2000 Program, 239 King Street East (HSB99005)

That a grant, for façade improvements, under the Core Heritage 2000 Program, in the amount of one thousand, three hundred and fifteen dollars (\$1,315) to John Kenyon, c.o.b. as JSK Pawnbrokers, tenant of 239 King Street East, be approved subject to the fulfillment of the requirements of the Program.

10. Neighbourhood Plan Amendments- 1999 Housekeeping review, Subsections (b)(c)(d)

That approval be given to the following Neighbourhood Plan amendments:

- (a) That the approved Kirkendall North Neighbourhood Plan be amended by redesignating the lands shown on Appendix "D" as Block 1 from "Medium Density Apartments" to "Commercial" and Block 2 from "Single & Double Residential" to "Commercial".
- (b) That the approved Ainslie Wood North Neighbourhood Plan be amended by redesignating the lands shown on Appendix "E" as Block 1 from "Utilities" to "Open Space".
- (c) That the approved Strathcona Neighbourhood Plan be amended by redesignating the lands shown on Appendix "F" as Block 1 from "Medium Density Apartments" to "Attached Housing".

11. Site Plan, 1800 King Street East – Jadwiga and Janusz Weiss

- (a) That the current owner of lands at 1800 King Street East, Jadwiga Weiss and Janusz Weiss pay \$20,000.00 towards the Security Requirements for Site Plan Control Application DA-99-22 prior to the issuance of a Building permit and that three (3) months after occupancy the remaining balance, \$19,750.00, be paid; and,
- (b) That this approval shall apply only to 1800 King Street East, for Jadwiga and Janusz Weiss.

12. Auchmar, 88 Fennell Avenue West- Designation

That Section 9 of the Thirteenth Report of the Planning and Development Committee approved by City Council at its meeting of June 29, 1999 regarding the designation of 3.55 acre portion of Auchmar be DELETED and REPLACED with the following:

- (a) That approval be given to the Intent to designate the former estate (9.6 acres) of the Honourable Isaac Buchanan, known as Auchmar, at 88 Fennell Avenue West, as a property of historical and architectural value, pursuant to the provisions of Part IV of the Ontario Heritage Act, 1997, as outlined in the Reasons for Designation attached hereto and marked as Appendix "G";
- (b) That the Corporate Counsel be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act.

13. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

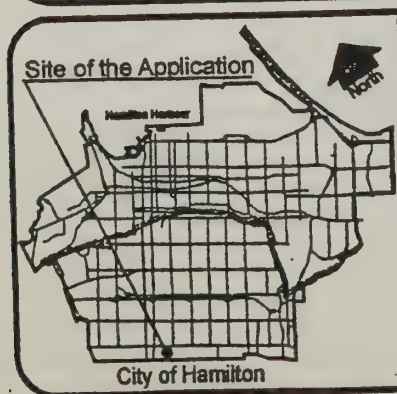
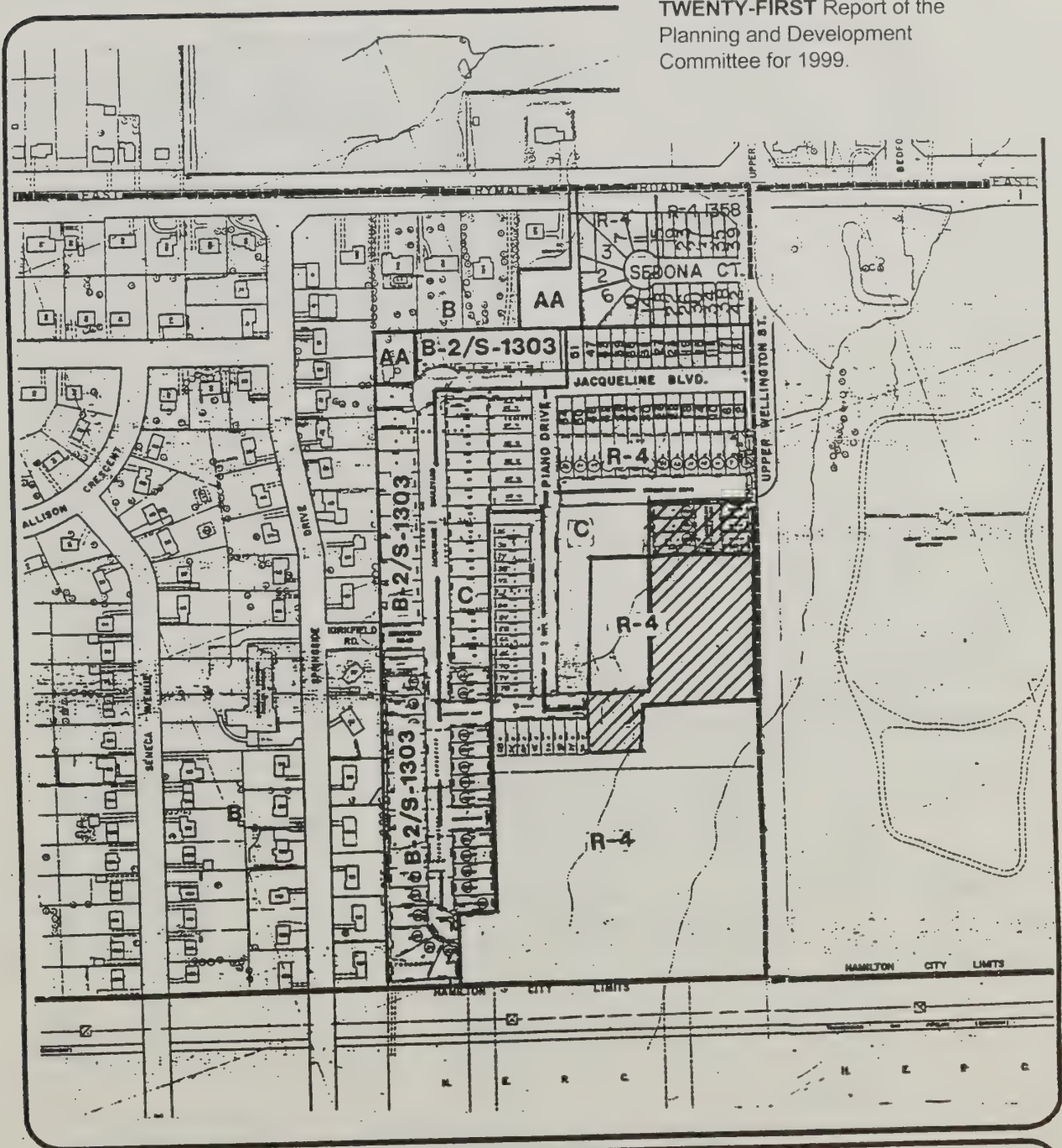
- (a) C-66 A By-law to Remove Land within the "Wellington Estates", Phase 1 Subdivision, Plan 62M-823 from Part Lot Control.
- (b) C-67 A By-law to Remove Land within the "Olmstead Park, Phase2" Subdivision, Plan 62M-891 from Part Lot Control.
- (c) C-68 A By-law to Remove Land within the "Rymal Square Estates, Phase 4" Subdivision, Plan 62M-743 from Part Lot Control.
- (d) C-69 A By-law to Amend Zoning By-law No. 6593 As Amended by Zoning By-laws No. 79-255 and 94-179 Respecting lands located at Municipal No. 1200 Upper James Street

Respectfully submitted,

**ALDERMAN F. D'AMICO CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE**

Tina Agnello, Secretary
November 3, 1999

Appendix "A" referred
to in Section 5 of the
TWENTY-FIRST Report of the
Planning and Development
Committee for 1999.



COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map

Legend



Subject Lands

Reference file:

PLC-99-07

Scale

Not to Scale

Date

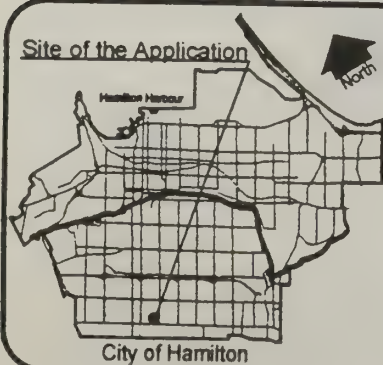
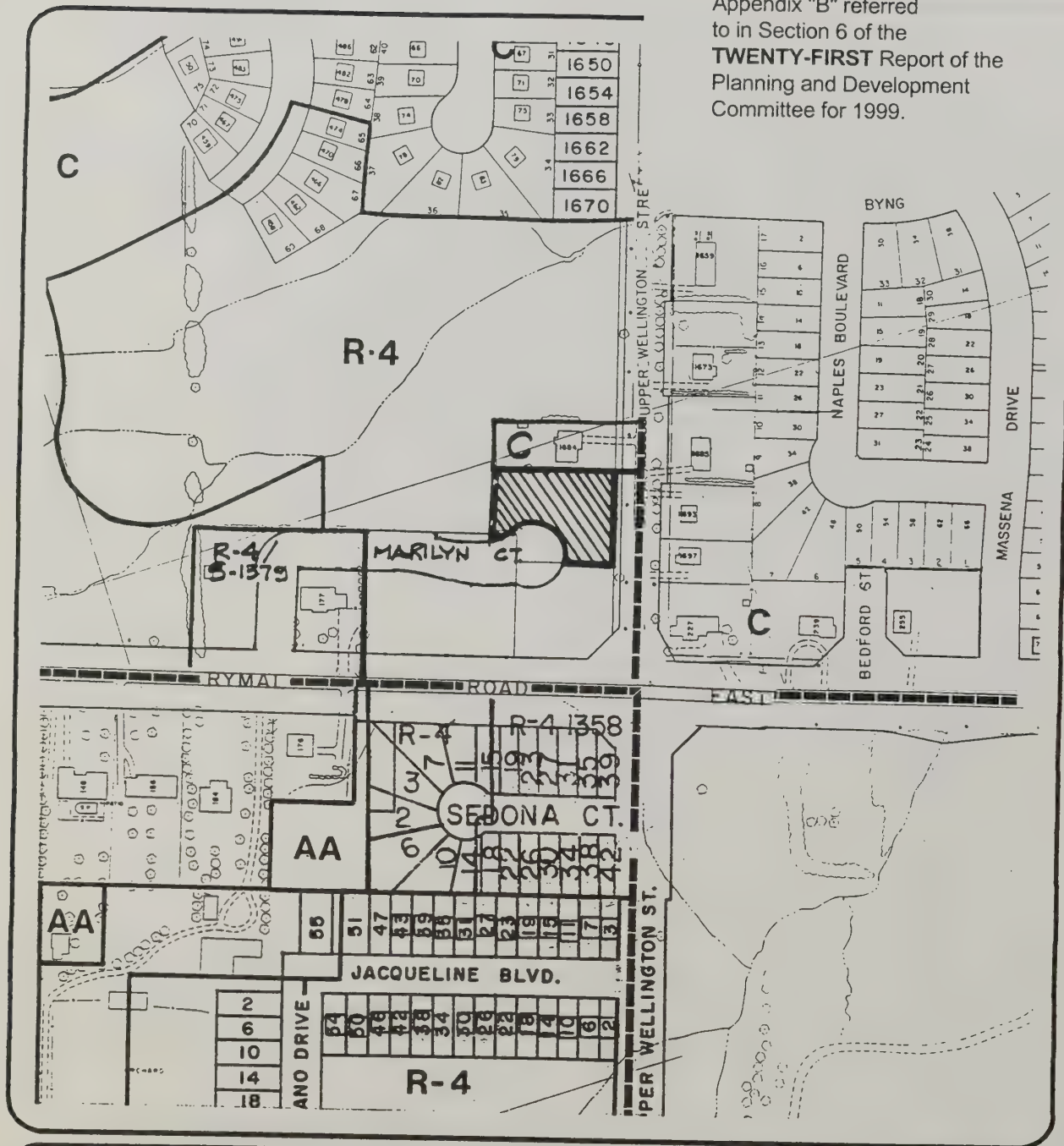
June, 1999

Technician:

Jsim

APPENDIX 'A'

Appendix "B" referred to in Section 6 of the **TWENTY-FIRST** Report of the Planning and Development Committee for 1999.



COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map

Legend



Site of the Application

Reference file:

PLC-99-10

Scale

Not to Scale

Date

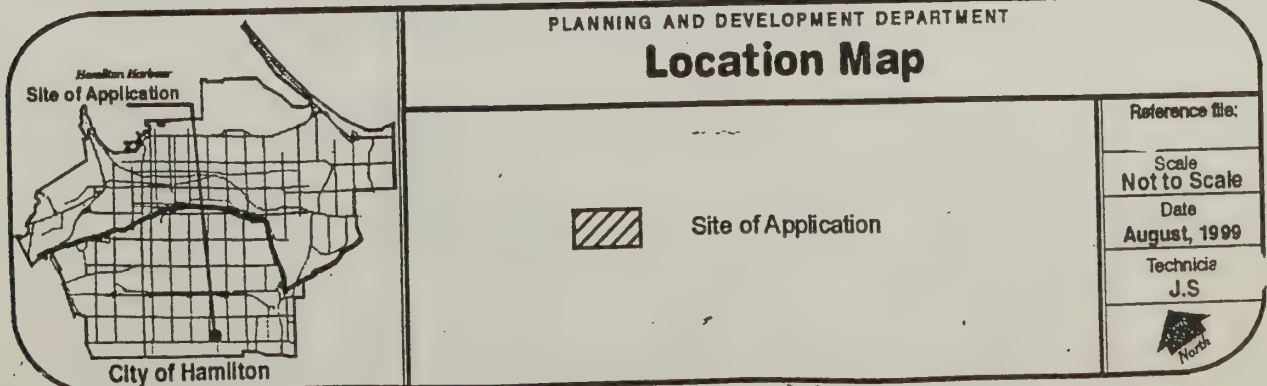
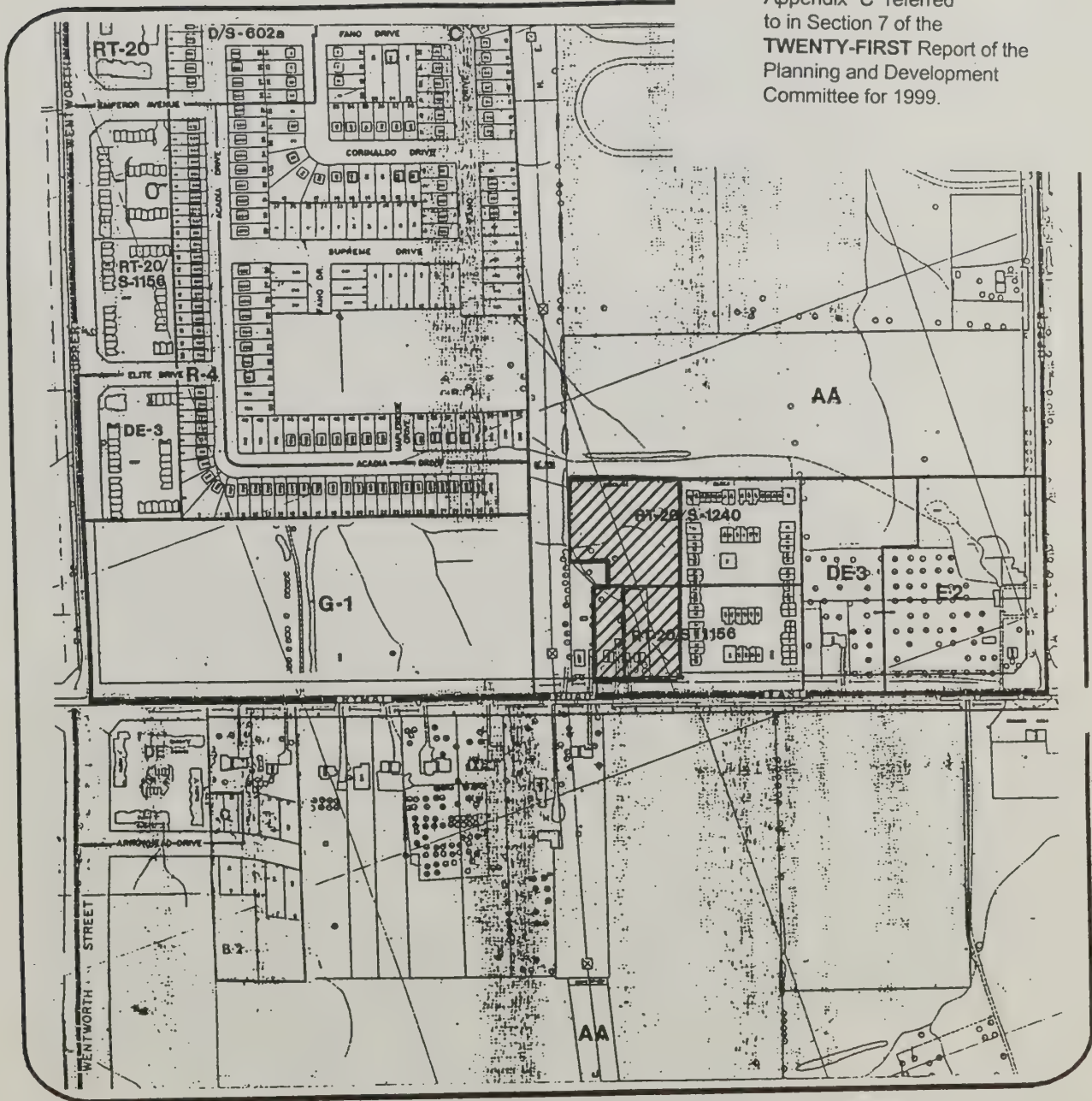
Oct., 1999

Technician:

B. B.

APPENDIX 'A'

Appendix "C" referred
to in Section 7 of the
TWENTY-FIRST Report of the
Planning and Development
Committee for 1999.



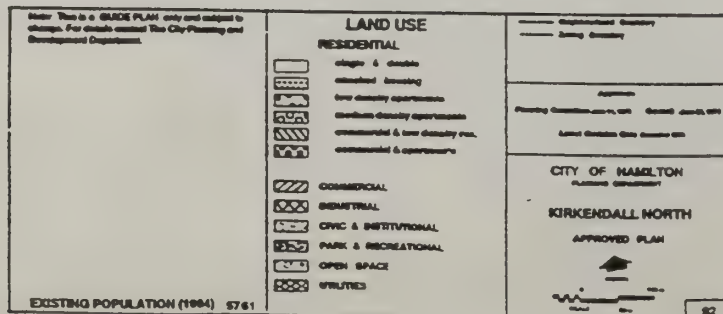
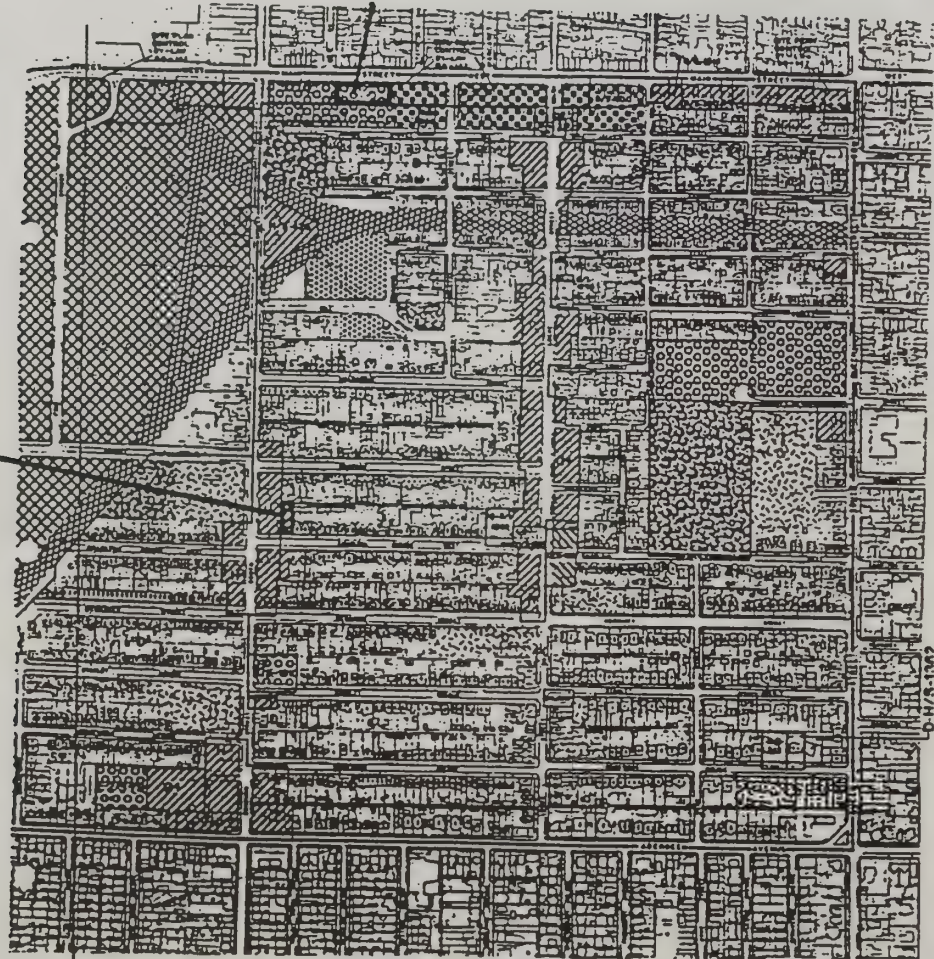
Block 1
 From: "Medium Density
 Apartments"
 To: "Commercial"

Block 2
 From: "Single & Double
 Residential"
 To: "Commercial"

Appendix "D" referred
 to in Section 10(a) of the
TWENTY-FIRST Report of the
 Planning and Development
 Committee for 1999.

BLOCK 1

BLOCK 2



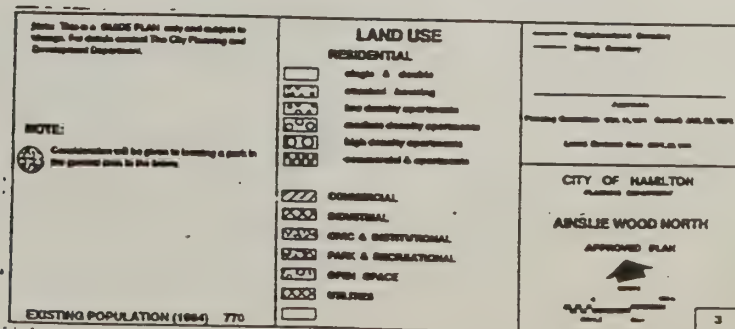


Block 1

From: "Utilities"

To: "Open Space"

Appendix "E" referred
to in Section 10(b) of the
TWENTY-FIRST Report of the
Planning and Development
Committee for 1999.



Appendix "G" referred
to in Section 12 of the
TWENTY-FIRST Report of the
Planning and Development
Committee for 1999.

Auchmar 88 Fennell Avenue West, Hamilton

REASONS FOR DESIGNATION

In 1852, Scotsman Isaac Buchanan, purchased property on the west mountain for an estate worthy of a successful wholesale merchant, civic leader, and aspiring political figure in the United Provinces of Canada. In 1855, he began building his country manor on lands totalling eighty-six acres. The entire property he named Claremont Park; the walled and landscaped portion he called Auchmar after his family's vast estate on Loch Lomond. This walled estate, consisting of approximately 9.6 acres, is located at the north-east corner of Fennell Avenue West and West Fifth Street.

1850's Country Estate in Hamilton

In Upper Canada during the pre-Confederation era, it was the fashion for wealthy gentlemen to leave their mark on the new country by building magnificent country estates. For over a century Hamilton was distinguished for its legacy of elegant country villas dating from this period, most of which have been lost with the city's expansion. Auchmar is one of only two such estates on Hamilton mountain to survive intact; the other being Chedoke on the escarpment brow.

In some ways, The Honourable Isaac Buchanan's country estate of Auchmar may be considered a sequel to Sir Allan MacNab's estate of Dundurn. Built twenty years later, on the mountain instead of the bay and in a later architectural style, Auchmar shares many of the same planning and design features found at Dundurn.

Essentially, both properties are modelled after the gentleman's country estate of Britain. Like Dundurn, the entrance to Auchmar was heralded by a gate-lodge, located on its northern-most boundary at the escarpment brow (still existing at 71 Claremont Drive). For the requisite scenic approach to the grounds, Auchmar's driveway was designed as a .5 kilometre treed allee (following today's streets of Arcade and Glenwood Crescents) passing through an arched entranceway (now closed) into Buchanan's secluded private grounds. The treed allee continued southwards towards the main focal point, Buchanan's manor house, a home with presence and dignity, enhanced by landscaped gardens. The drive proceeded to circle around to the south entrance facade of the house, designed as a perfect mirror image of the north garden face.

Buchanan's complex includes additional structures typical of a gentleman's estate: a carriage house, two arched passageways, high garden walls, and a square, two-storey dovecote, all constructed in stone. The first stone wall swings north-east from the archway at the carriage house around to the dovecote, creating a sizeable, south-facing walled garden. A second high stone wall extends along the east border of the property and partially across its north boundary, designed to provide privacy and a shelter for Buchanan's original orchard. Most of this orchard wall still exists as do a number of apple trees believed to be remnants from his original planting. A third low stone wall runs along the south border of the property at Fennell Avenue.

Today, this historic enclave, although little known to the outside community, represents a rare and significant cultural heritage landscape, dating from one of Hamilton's most illustrious building periods. In 1970, Buchanan's Auchmar and its gatehouse Claremont Lodge were recognized and plaqued as a property of Provincial significance.

Picturesque Cultural Landscape

Like Dundurn, Auchmar survives today as a rare and outstanding example of a mid-nineteenth century Picturesque country estate, complete with manor house, outbuildings and landscape features. With its built and natural features integrated into a comprehensive design, Auchmar fully upholds the principles of the Picturesque: its setting is secluded and wooded; its structures and landscaping display an interest in movement and variety; and the choice of design capitalises on the play of light and shadow. The verandahs and terraces (now gone) once served to extend interior space outdoors into the garden, another key component of the Picturesque.

The architect of Auchmar is to date unknown; the landscape design is attributed to George Laing, a British landscape architect responsible for gardens at Dundurn Castle and Rock Castle in Hamilton, and Woodend in Ancaster (presently the HRCA headquarters).

Gothic Revival Style

The manor house of Auchmar is considered to be an excellent, full-blown example of the Gothic Revival style in Upper Canada, characterised by the use of such features as multiple gables, bargeboard decoration, pointed arched windows, bay windows and clustered chimney stacks. The lively and intricate detailing of the Gothic style enhances the Picturesque effect of the whole.

By comparison to the more formal Gothic mansions in Hamilton, like Inglewood and Rock Castle, Auchmar takes the more informal, playful aspects of the Gothic Revival and expands them to the grand scale of a country mansion. Unusual, too, is its interior layout based on a Roman cross plan with the central hallway running the width of the house flanked by staircases at each end. Designing identical front and garden facades, likewise, provided an inventive solution to creating equally important facades: the approach (north) side and the formal entry (south) side.

The Gothic Revival style was also successfully integrated throughout the estate. The interior of the manor house shows gothic detailing in the rib vaulting of the hallway, pointed arched doors, decorative wooden shutters, plaster ceiling, fireplaces, etc. Gothic detailing also appears on all the outbuildings—in the matching diminutive gatehouse, in the carriage house's bargeboard and pinnacles; in the dovecote's bargeboard, cupola and traceried pigeon holes; and in the latticed garden pagoda (now gone).

The Honourable Isaac Buchanan

The Honourable Isaac Buchanan (1810-1883) was a man of many achievements—in business, politics and church affairs. He became one of the country's leading wholesale merchants and together with several other businesses established Hamilton as an important wholesale distribution centre. Buchanan was one of Hamilton's major civic leaders from the 1850's to the 1870's, as a promoter of the railway and as a prominent figure in local politics and the Scottish Presbyterian community. He was also an influential figure in the politics of the United Provinces of Canada.

As Entrepreneur

Isaac Buchanan began his mercantile career in Glasgow as an apprentice with the trading firm, William Guild & Co. and moved to Montreal in 1830. By 1834, Isaac and his older brother Peter were able to establish their own firm, Peter Buchanan and Company, based in Glasgow. In 1840, the wholesale dry goods and groceries firm of Buchanan, Harris and Company was established in Hamilton, with a branch office in Montreal. With Isaac's fearless opportunism and his partners' managerial skills, the Buchanan enterprise expanded rapidly, becoming one of the largest and most profitable wholesale businesses in Upper and Lower Canada. Isaac Buchanan played an instrumental role in the formation of boards of trade, becoming first president of the Toronto Board and later the Hamilton Board (formed in 1864).

As Politician

Throughout his life Isaac Buchanan was passionately engaged in politics. In the early 1840's, he served as representative for Toronto in the first Legislative Assembly of the Province of Canada. He later served several terms as Hamilton representative (between 1857 and 1867) and was also appointed president of the Executive Council in the 1864 Tache Macdonald administration. He also deserves much of the credit, along with Sir Allan MacNab, for bringing the Great Western Railway to Hamilton.

As Religious Leader

As a man of religion, Buchanan gave liberally in time and wealth to Presbyterian causes and churches across the country. He was strongly committed to promoting the Knox "free" church, donating to the building fund for the first Knox Church in Hamilton (1845) and later bearing the major cost of erecting the MacNab Street Church (1856).

History of Site

The Mountain estate of Isaac and Agnes Buchanan, with its spacious villa and landscaped grounds, provided a fitting setting to raise their large family, entertain dignitaries, and hold church and political functions. Unfortunately, their enjoyment of Auchmar was relatively short-lived. Isaac's increasingly speculative and unprofitable business ventures forced him to begin selling off portions of his landholdings as early as 1862. In 1873, a large parcel to the west was sold for the construction of the Hamilton Asylum for the Insane and the remainder of his property, including Auchmar, was sold the following year to pay his creditors.

After 1874, Auchmar and the remainder of Buchanan's property changed ownership a number of times and continued to be subdivided. Around the turn-of-the-century, Auchmar was owned and occupied by Captain Alfred Trigge and his family. The estate was then acquired by Elsie Buchanan, the youngest daughter of Isaac and Agnes, who in turn sold it to Alan Vernon Young in 1926. During World War II, Auchmar served as a convalescent hospital for the R.C.A.F. The 33-acre property was further subdivided before the remaining portion was sold in 1945 to the Sisters of Social Service, a Roman Catholic order originating in Budapest, Hungary. The Sisters acquired the original building complex and surrounding landscaped grounds (9.6 acres in size) with the intent of opening a novitiate for women studying to become members of the order. The original villa was enlarged in 1963 by the addition of a large rear wing (with a chapel and conference centre) to serve as a retreat house. In recent years, the Sisters have lived in the smaller modernized carriage house.

Designated Features

Many remnants still exist from the layout of Buchanan's original estate but only those features on the present-day Auchmar property are included in the designation.

The features important to the preservation of Auchmar include but are not limited to the following: built and natural landscape features: the manor house, carriage house, dovecote, garden walls (four), treed allee, orchard, walled garden and park-like setting with its open space and mature trees.

Significant features of the manor house include but are not limited to the following: all four original exterior facades—walls, gables, dormers, clustered chimney stacks, all original windows including the castellated bay windows, doors, mouldings, decorative bargeboard, pinnacles/pendants and brackets. Included also on the interior are the first and second storey hallways and vaulting, the staircases, and the original walls, doors, windows, shutters, fireplaces, wood and plaster mouldings, and wood panelling.

Significant features of the remainder of the estate include the exterior facades of the carriage house—original stone walls, gables and dormers, and pinnacles; of the dovecote—the original stone walls, gables, bargeboard, traceried pigeon holes; the original stone garden walls with coping stones, openings and gates; and foundation remnants near the wooded area.

Excluded from designation are the later additions to the manor house, the garage and the Holy Spirit Retreat Centre.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TWENTY-SECOND** Report for 1999 and respectfully recommends:

1. Declaration of Surplus Property – 344 Ferguson Ave. North (CS99022)

- (a) That the property at 344 Ferguson Avenue North be declared surplus to the requirements of the City of Hamilton in accordance with the Real Property Sales Procedural By-law No.95-049; and,
- (b) That Real Estate, Legal Services Section be authorized and directed to sell this Property in accordance with the Real Property Sale Procedural By-law 95-049 and cause a report to be brought back to Council respecting any proposed sale; and,
- (c) That prior to any sale of the subject property those lands that are required, if any, for the implementation of the Ferguson Avenue Master Plan be identified and retained in the ownership of the City; and,
- (d) That the completion of any proposed sale be subject to the relocation of the Public Works Yard presently occupying this property.

Respectfully submitted,

**ALDERMAN F. D'AMICO, CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE**

Stella Glover, Acting Secretary
November 9, 1999

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SIXTEENTH** Report for 1999 and respectfully recommends:

1. Amendment – Natural Gas Purchase Agreements (FAC99005)

That the Mayor and Municipal Clerk be authorized and directed to execute the amended Bundled Transportation Agreement between Union Gas Limited and the City of Hamilton in a form satisfactory to Corporate Counsel.

2. Reserve for the Red Hill Creek Valley Redevelopment – Proposed Projects (PWT99053)

- (a) That approval be granted to the following projects for funding through the Reserve Account set up for the City's sale of surplus Freeway lands to the Region: Sam Manson Park enhancement (\$220,000.), East Hamilton Escarpment Steps (\$480,000.), Parkdale Park Redevelopment (\$300,000.), Veevers Park Redevelopment (\$140,000.), Mt. Lion's Park enhancements (\$60,000.) and Park Corridor Development (adjacent to the "Linc" - \$225,000.); and,
- (b) That the method of financing for the six projects, totalling \$1,425,000., be approved from the Revenue Account set up from the City's sale of surplus Freeway lands to the Region.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico. -14.

NAYS: Alderman O'Sullivan. -1.

CARRIED.

3. Declaration of Surplus Properties (CS99018)

- (a) That the following properties be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049:
 - (i) Rear of 28 Freeland Court – Part of Parcel “A”, Plan 115, containing approximately 1, 000 square feet; and,
 - (ii) 17-1/2 Fairmont Avenue – Former Fernleigh Lawn Bowling Club lands, containing 32,757 square fee; and,
 - (iii) Closed Road Allowance – Part of Dulgaren Street, Part 1, Plan 62r-14087, containing.175 acres; and,
- (b) That Real Estate, Legal Services Section be authorized and directed to negotiate the sale of the subject properties in accordance with the Real Property Sales Procedural By-law No. 95-049.

4. Status of Development Charge Funds (FIN99073)

That the analysis of the transaction of the City's Development Charges Reserve, attached herewith and marked Appendix “A”, for the year 1998 be received.

5. Funding Source for Fire Fighters Negotiations (FIN99071)

That as referred to in City Committee of the Whole/City Council minutes of the meeting held Tuesday, September 7, 1999, the cost to finance the professional services rendered in relation to the arbitration proceedings with the Hamilton Professional Fire Fighters Association as well as those professional services related to the application to the Ontario Labour Relations Board for the designation of positions as “excluded managerial” in an amount not to exceed \$50,000 be funded from the Reserve for Contingency account COHAM 58525 104015.

6. Financing of Modified Neighbourhood Plan review for portions of the North End East, Beasley, Lansdale and Keith Neighbourhoods (FIN99079)

That as referred to in Section 1 of the Fifth Report for 1999 of the City Committee of the Whole approved by City Council on Thursday, April 29, 1999, the \$30,972 cost of the Modified Neighbourhood Plan Review be funded from the Reserve for Contingency, and charged to Account Centre No. COHAM 55916 259055003.

7. Financing Archaeological Investigation of the Jackson House Property (FIN99087)

That as referred to in Section 6 of the Ninth Report for 1999 of the Parks and Recreation Committee, approved by City Council on October 12, 1999, the funding for the archaeological investigation of the Jackson House property with an upset limit of \$35,000 be financed from within the Reserve for Contingency (COHAM 104015 – DeptID).

8. Taxi Fare Rate Increase and Taxi Plate Transfer upon death of Plate Owner (PDC99085)

- (a) That Licensing By-law 98-203, as amended, Schedule 2 Part 11, respecting Rates or Fares to be charged by a taxicab owner or taxicab driver be amended as follows:

For one or more passengers,

- | | | |
|------|--|--------|
| (1) | For the first 76.8 meters or part thereof | \$2.25 |
| (2) | For each additional 76.8 meters or part thereof | \$0.10 |
| (3) | For waiting after engagement for each 14 seconds or part thereof after the first 14 seconds | \$0.10 |
| (4) | For loading and unloading groceries for each 14 seconds or part calculated after the first 14 seconds from the time the meter is turned on | |
| (i) | At the commencement of the loading until completion of the loading | \$0.10 |
| (ii) | At the commencement of the unloading until completion of the unloading | \$0.10 |

- (b) That the Licensing By-law 98-203, as amended, Schedule 4, respecting Taxicabs be amended to provide that on the death of a taxicab owner, the plate or licence sticker shall be returned to the licensing section and after filing documentation sufficient to prove that the licence is an asset of the estate, the licence may be transferred to the estate of the deceased taxicab owner and may be held in the name of the estate until disposition to a person qualified under this By-law:

- (i) That the following must be filed to effect transfer of an owner's licence to the estate:
- (1) Proof that the person disposing the property have legal status to make the transfer,

- (2) Proof of insurance in the name of the estate
- (3) Proof of ownership of vehicle in the name of the estate

- (ii) That the transfer of the licence to the estate of the deceased can only be held for one year and if not disposed in that time period, it shall be revoked by Council; and,

RERERRED BACK TO THE LICENSING COMMITTEE FOR SUBSEQUENT REPORT TO THE FINANCE AND ADMINISTRATION COMMITTEE

- (c) That the Corporate Counsel be authorized and directed to prepare the appropriate amending by-law.

9. Development Charges Act – Complaint – 60 Loconder Drive (PDC99086)

That after hearing the evidence and submission of the agent, Norm Westbury, on behalf of the complainant, Hamilton Habitat for Humanity, the Council of the City of Hamilton hereby waives the development charges imposed on the property located at 60 Loconder Drive pursuant to City of Hamilton Development Charges By-law 99-118 in the amount of \$2,142.89.

10. R v. City of Hamilton (OHSA Charges)(C01799)

That the Finance and Administration Committee recommend a funding source to satisfy accounts for professional services rendered in relation to the Occupational Health and Safety charges brought against the City of Hamilton in the accidental death of Mr. P. Faustini in an amount not to exceed \$65,000.

11. 80 Queen Street North

That Section 1 of the Fifteenth Report for 1999 of the Finance and Administration Committee, approved by City Council on October 12, 1999, be amended as follows:

- (a) That LIUNA not be required to convey five percent (5%) of the land to the municipality for park purposes as a condition of development but rather that LIUNA be required to provide for a small parkette or tot lot, to be located at the corner of Peter Street and Queen Street and having a size of approximately 27 metres by 25 metres, as set out in the preliminary site servicing plan dated October 1999; and,
- (b) That LIUNA be required to carry out a full depth remediation of the property, as opposed to a Site Specific Risk Assessment, and that LIUNA be required to provide the City with written confirmation from

the Ministry of Health which indicates that they require the full depth remediation; and,

- (c) That the City's share of the costs for the remediation of the property not exceed \$582,524.00, plus GST in the amount of \$40,776.68 so that the net costs to the City will be capped at \$600,000.89 after the GST municipal tax rebate which is 57.14%; and,
- (d) That all other terms and conditions of the Offer to Purchase document, as set out in schedule "A" to report CS99016a, and approved by City Council on October 12, 1999, remain the same.

12. Millennium Projects and Financing (CSC9933)

- (a) That the "Our Millennium" project, as co-ordinated by the Hamilton Community Foundation and the Hamilton and District Volunteer Centre, be endorsed by the City of Hamilton, and further, that "Our Millennium" be the agent for registering Millennium activities in the City of Hamilton; and,
- (b) That the Millennium Sub-Committee, together with staff, review and recommend to Council approval of projects submitted to the City for Provincial funding for Main Street 2000 Millennium Grant funding, subject to meeting the criteria outlined by the Province.
- (c) That the City of Hamilton, as part of its ongoing civic awards program formally recognizes outstanding Hamilton citizens who have made a significant contribution to our community.
- (d) That approval be granted to display the International Children's Games Millennium Festival and Our Millennium logos on the two outside windows of City Hall Council Chambers from December 31, 1999 to January 2001.
- (e) That the following recommendations, which involve financial implications, be forwarded to the Joint City/Region Budget Steering for consideration:
 - (i) That the following activities and projects be endorsed as the City of Hamilton's Millennium projects, and further, that they be included in the "Our Millennium" registry as City of Hamilton projects:
 - (1) Trans Canada Trail 2000
 - (2) Waterfront Trail (Bayfront-Cootes)

- (3) The Industrial Trail
- (4) International Children's Games Millennium Festival
- (5) Millennium Civic Awards

- (ii) That Corporate Communications together with Economic Development and Culture and Recreation staff create a "Millennium events" promotion plan for the year 2000, that will include expenditures up to an upset limit of \$175,000, and further that the Finance and Administration Committee recommend the method of financing, and further that the promotional activities are to include:
 - (1) Greater Hamilton Events 2000 Calendar and methods of distribution
 - (2) Special Event program enhancements for the following events: First Night, Canada Day Celebrations, Greater Hamilton Tattoo and the Royal Bank Aquafest
- (iii) That the City of Hamilton provide matching funds for Main Street 2000 approved projects to an upset limit of \$167,000, and further that the Finance and Administration Committee recommend the method of financing.
- (iv) That the City of Hamilton assists with the recognition of the "Our Millennium" registry by providing medallions to those citizens who formally register their gift with the "Our Millennium" project.
- (f) That printing and mailing services be provided by the City of Hamilton to "Our Millennium", and further that the Finance and Administration Committee recommend the method of financing these services to an upset limit of \$5,000 subject to the funds being available from the 1999 current budget. AMENDED.

Respectfully submitted,

**ALDERMAN D. WILSON
CHAIRMAN
FINANCE AND ADMINISTRATION
COMMITTEE**

**Susan K. Reeder
Secretary
November 2, 1999**

Appendix "A" as referred to in
Section 4 of the Sixteenth Report
for 1999 of the Finance and
Administration Committee

Development Charge Reserve Fund
Statement of Continuity
Period January 01, 1998 to December 31, 1998

	Total \$	Indoor Recreation \$	Outdoor Recreation \$	Library Buildings & Materials \$	Traffic Signals \$	Parkland Acquisition \$	Vehicles & Equipment \$	Studios \$	Engineering (area specific) \$	Storm Water Retention \$	Fire Stations \$
Balance as at Jan 01, 1998	5,722,894	1,596,692	1,506,842	1,079,209	(26,108)	219,098	100,444	2,012	593,524	(54,244)	705,625
Development charges received or receivable	823,844	192,557	241,230	93,531	6,368	152,667	39,890	799	96,802	0	0
Development charges refunded	(2,515)	(588)	(736)	(286)	(19)	(466)	(122)	(2)	(296)	0	0
Interest earned	302,398	92,947	40,082	75,673	(2,498)	23,964	9,050	182	29,563	(3,500)	36,935
	6,846,621	1,881,608	1,787,218	1,248,127	(22,257)	395,263	149,262	2,991	719,593	(57,744)	742,560
Transferred to: Capital Fund	(1,259,000)	0	(1,027,000)	0	0	0	0	0	(232,000)	0	0
Amounts allocated: Reduction of current debentures	(600,000)	(348,569)	(99,116)	0	(18,946)	0	0	0	0	0	(133,369)
Balance as at Dec 31, 1998	4,987,621	1,533,039	661,102	1,248,127	(41,203)	395,263	149,262	2,991	487,593	(57,744)	609,191

REPORT OF THE JOINT CITY/REGION BUDGET STEERING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Joint City/Region Budget Steering Committee presents its **FOURTH** Report for 1999 and respectfully recommends:

1. Tariff of Charges – 2000 – Public Works – Cemeteries Division (PWT99071)

- (a) That the Tariff of Charges for City-owned cemeteries as set out in the schedule, attached herewith and marked Appendix "A", be approved upon receipt of approval from the Ministry of Consumer and Commercial Relations, Cemeteries Branch and implemented on January 1, 2000; and,
- (b) That Corporate Counsel and Director of Real Estate be authorized and directed to prepare a By-law to amend the Cemetery By-law so as to provide for the increase in the Tariff of Charges; and,
- (c) That the Manager of Cemeteries be authorized and directed to make application to the Ministry of Consumer and Commercial Relations, Cemeteries Branch for approval of these rates; and,
- (d) That the increased User Fee Revenues be a component in the 2000 Department Current Budget Reductions.

2. Proposed New User Fee for Processing Duplicate Parking Infraction Notices (PWT99069)

That a new user fee of \$5 be established for processing duplicate Parking Infraction Notices (PIN's) effective January 1, 2000.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: Alderman Caplan. -1.

CARRIED.

3. Proposed 2000/2001 User Fees Rates for Culture and Recreation Services (CSC99016)

- (a) That the proposed revisions to the 1999 user fee schedule for the Department of Culture and Recreation Services, appended hereto as Schedules and marked Appendix "B", be approved for the 2000 Current Budget; and,
- (b) That the proposed new fees for the bocce associations and community tennis clubs be approved for the 2000 Current Budget.

**REFERRED TO THE PARKS AND RECREATION
COMMITTEE**

4. Proposed 2000-2001 User Fee Increases for Museums – Department of Culture and Recreation (CSC99021)

That the proposed increases to User Fees including admissions and programmes for Dundurn Castle, The Hamilton Military Museum and Whitehern, attached hereto and marked as Appendix "C", be approved for implementation as of January 1, 2000.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Corsini, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –12.

NAYS: Mayor Morrow, Aldermen Morelli, Haining. –3. **CARRIED.**

5. Bill

That the following Bill be signed, sealed and enrolled as a By-law:

F-8 A By-law to confirm proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS
CHAIRMAN
JOINT CITY/REGION BUDGET
STEERING COMMITTEE**

Susan K. Reeder
Legislative Assistant
November 2, 1999

SCHEDULE OF USER FEES AND OTHER REVENUES
PUBLIC WORKS - CEMETERIES DIVISION

Appendix

1999

2000

SALE OF LOTS AND GRAVES INCLUDING PERPETUAL CARE

	Resident & Realty Taxpayers				Non-Residents				Resident & Realty Taxpayers				Non-Residents				Increase over 1999
	Cost	G.S.T.	Total		Cost	G.S.T.	Total		Cost	G.S.T.	Total		Cost	G.S.T.	Total		
- Adult Single Grave	564.00	39.48	603.48		677.00	47.39	724.39		581.00	40.67	621.67		697.00	48.79	745.79		31
- Preferred Single Grave	944.00	66.08	1,010.08		1,133.00	79.31	1,212.31		972.00	68.04	1,040.04		1,166.00	81.62	1,247.62		51
- Child - single - case up to 24"	54.00	3.78	57.78		65.00	4.55	69.55		56.00	3.92	59.92		67.00	4.69	71.69		41
- Child Single Gr - case 24" to 60"	117.00	8.19	125.19		140.00	9.80	149.80		121.00	8.47	129.47		145.00	10.15	155.15		31
- case 61" to 72"	172.00	12.04	184.04		206.00	14.42	220.42		177.00	12.39	189.39		212.00	14.84	226.84		31
- Urn Garden	401.00	28.07	429.07		481.00	33.67	514.67		413.00	28.91	441.91		496.00	34.72	530.72		31
- Veteran's Grave	536.00	37.52	573.52						552.00	38.64	590.64						31
- Two-Grave Lot	2,487.00	174.09	2,661.09		2,984.00	208.88	3,192.88		2,562.00	179.34	2,741.34		3,074.00	215.18	3,289.18		31
- Two-Grave Lot - Woodland Section 14	3,675.00	257.25	3,932.25		4,410.00	308.70	4,718.70		3,785.00	264.95	4,049.95		4,542.00	317.94	4,859.94		31
- Two-Grave Lot - Hamilton Cemetery	3,066.00	214.62	3,280.62		3,679.00	257.53	3,936.53		3,158.00	221.06	3,379.06		3,790.00	265.30	4,055.30		31
- Two-Grave Lot - Eastlawn	1,765.00	123.55	1,888.55		2,118.00	148.26	2,266.26		1,818.00	127.26	1,945.26		2,182.00	152.74	2,334.74		31
- Three-Grave Lot - Woodland	3,232.00	226.24	3,458.24		3,878.00	271.46	4,149.46		3,329.00	233.03	3,562.03		3,995.00	279.65	4,274.65		31
- Three-Grave Lot - Woodland- Section 14	4,418.00	309.26	4,727.26		5,302.00	371.14	5,673.14		4,551.00	318.57	4,869.57		5,161.00	382.27	5,543.27		31
- Three-Grave Lot - Woodland Section 15	7,825.00	547.75	8,372.75		9,390.00	657.30	10,047.30		8,060.00	564.20	8,624.20		9,672.00	677.04	10,349.04		31
- Four-Grave Lot - Eastlawn / Woodland	4,235.00	296.45	4,531.45		5,082.00	355.74	5,437.74		4,362.00	305.34	4,667.34		5,234.00	366.38	5,600.38		31
- Four-Grave Lot - Trinity	3,981.00	278.67	4,259.67		4,777.00	334.39	5,111.39		4,100.00	287.00	4,387.00		4,920.00	344.40	5,264.40		31
- Mansion of Memories - Mausoleum crypt	1,507.00	105.49	1,612.49		1,808.00	126.56	1,934.56		1,552.00	108.64	1,660.64		1,862.00	130.34	1,992.34		31
- Cremorial	992.00	69.44	1,061.44		1,190.00	83.30	1,273.30		1,022.00	71.54	1,093.54		1,226.00	85.82	1,311.82		31
- Columbarium - upper level	1,355.00	94.85	1,449.85		1,626.00	113.82	1,739.82		1,396.00	97.72	1,493.72		1,675.00	117.25	1,792.25		31
- Columbarium - lower level	1,017.00	71.19	1,088.19		1,220.00	85.40	1,305.40		1,048.00	73.36	1,121.36		1,258.00	88.06	1,346.06		31
- Monument Columbarium	1,010.00	70.70	1,080.70		1,212.00	84.84	1,296.84		1,040.00	72.80	1,112.80		1,248.00	87.36	1,335.36		31

- 40% of Grave and Lot sales goes into Care & Maintenance
- 20% of Mausoleum Crypt sales goes into Care & Maintenance
- 15% of Columbarium and Cremorial sales goes into Care & Maintenance

November 9, 1999

SCHEDULE OF USER FEES AND OTHER REVENUES
PUBLIC WORKS - CEMETERIES DIVISION

Appendix

	1999			2000			Increase Excl. 1999
	Resident & Realty Taxpayers Cost	G.S.T.	Total	Resident & Realty Taxpayers Cost	G.S.T.	Total	
ADDITIONAL SERVICES							
- Youth	339.00	23.73	362.73	349.00	24.43	373.43	Tendered
- Social Services	330.00	23.10	353.10	340.00	23.80	363.80	Tendered
- Intermediate	363.00	25.41	388.41	374.00	26.18	400.18	Tendered
- Overseize	385.00	26.95	411.95	397.00	27.79	424.79	Tendered

- Miscellaneous:

- Tent in Cemetery	171.00	11.97	182.97	176.00	12.32	188.32	31
- Rental of tent outside cemetery	234.00	16.38	250.38	241.00	16.87	257.87	31
- Transfer Fee	49.00	3.43	52.43	50.00	3.50	53.50	21
- Bronze Memorial Plaque for Columbarium	349.00	24.43	373.43	359.00	25.13	384.13	31
- Companion Vase on Columbarium Niche	68.00	4.76	72.76	70.00	4.90	74.90	31
- Bronze Memorial Plaque for Cremorial	155.00	10.85	165.85	160.00	11.20	171.20	31
- Supply, install and maintain flower bed to maximum three graves - per grave	124.00	8.68	132.68	128.00	8.96	136.96	31
- Memorial Tree Planting, 12X10 stone, 6X8 Bronze Plaque 3 Lines	435.00	30.45	465.45	448.00	31.36	479.36	31
- Memorial Bench - 8X5 Bronze plaque - 3	621.00	43.47	664.47	640.00	44.80	684.80	31

- Miscellaneous:

- Flower Pot Hanger	17.85	1.25	19.10	18.39	1.29	19.68	31
- Temporary Marker	44.00	3.08	47.08	45.32	3.17	48.49	31

Note: Special lettering which carries an extra charge will be added to plaque charge
Note: Installation charge for all plaques and vases.

NOTE : PERSONAL COLUMBARIUM AND HAUSOLEUM ARE AVAILABLE ON INDIVIDUAL BASIS

Family research \$2.00 per name

CARE AND MAINTENANCE FUND

- markers and upright monuments:

- any flat marker under 173 sq. in.	N/C			N/C			01
- any flat marker over 173 sq. in.	50.00	3.50	53.50	50.00	3.50	53.50	01
- any upright monument <= 4 ft. in length	100.00	7.00	107.00	100.00	7.00	107.00	01
- any upright monument over > 4 ft. in 1	200.00	14.00	214.00	200.00	14.00	214.00	01

0.03 Enter Increase rate

SCHEDULE OF USER FEES AND OTHER REVENUES
PUBLIC WORKS - CEMETERIES DIVISION
Appendix "A"

	1999			2000					
	Cost	G.S.T.	Total	Cost	G.S.T.	Total	Cost	G.S.T.	Total
BURIALS AND REMOVALS									
Opening and Closing									
- 6 ft. Adult	573.00	40.11	613.11	688.00	48.16	736.16	590.00	41.30	631.30
- 8 ft. Adult	771.00	53.97	824.97	925.00	64.75	989.75	794.00	55.58	849.58
- 6 ft. Child	76.00	5.32	81.32	91.00	6.37	97.37	78.00	5.46	83.46
- case up to 24"	161.00	11.27	172.27	193.00	13.51	206.51	166.00	11.62	177.62
- case 25" to 42"	235.00	16.45	251.45	282.00	19.74	301.74	242.00	16.94	258.94
- case 43" to 60"	306.00	21.42	327.42	367.00	25.69	392.69	315.00	22.05	337.05
- case 61" to 72"	273.00	19.11	292.11	328.00	22.96	350.96	281.00	19.67	300.67
- case up to 60"	327.00	22.89	349.89	392.00	27.44	419.44	337.00	23.59	360.59
- case 61" to 72"	186.00	13.02	199.02	223.00	15.61	238.61	192.00	13.44	205.44
- 8 ft. Child	128.00	8.96	136.96	154.00	10.78	164.78	132.00	9.24	141.24
- Cremation	68.00	4.76	72.76	82.00	5.74	87.74	70.00	4.90	74.90
- Cremorial	128.00	8.96	136.96	154.00	10.78	164.78	132.00	9.24	141.24
- Columbarium	470.00	32.90	502.90	564.00	39.48	603.48	484.00	33.88	517.88
- Mansion of Memories (Stoney Creek)									
Lowering (includes Opening, Removal, Lowering, Closing)									
- Adult - 6 ft. to 8 ft. - shell	2,317.00	162.19	2,479.19				2,387.00	167.09	2,554.09
- Adult - 6 ft. to 8 ft. - vault/crypt	1,930.00	135.10	2,065.10				1,988.00	139.16	2,127.16
- Child - 6 ft. to 8 ft. - 5 to 10 years	822.00	57.54	879.54				847.00	59.29	906.29
- Child - 6 ft. to 8 ft. - under 5 years	690.00	48.30	738.30				711.00	49.77	760.77
Removals									
- Adult - Shell	2,109.00	147.63	2,256.63				2,172.00	152.04	2,324.04
- Adult - Concrete vault or crypt	1,722.00	120.54	1,842.54				1,774.00	124.18	1,898.18
- Child - Shell	729.00	51.03	780.03				751.00	52.57	803.57
- Child - Concrete vault or crypt	596.00	41.72	637.72				614.00	42.98	656.98
- Cremation	186.00	13.02	199.02				192.00	13.44	205.44
FOUNDATIONS AND MARKERS									
- Foundation - pouring per square inch of surface area (6 feet deep)	1.11	0.08	1.19	1.34	0.09	1.43	1.14	0.08	1.22
FOUNDATIONS AND MARKERS									
- 12" X 10" & Child's 18" X 14"	87.00	6.09	93.09	104.00	7.28	111.28	90.00	6.30	96.30
- all other Flat Mark	132.00	9.24	141.24	158.00	11.06	169.06	136.00	9.52	145.52
- Bronze Vase	132.00	9.24	141.24	158.00	11.06	169.06	136.00	9.52	145.52
- D.V.A. Upright	111.00	7.77	118.77				114.00	7.98	121.98
- D.V.A. Flat	111.00	7.77	118.77				114.00	7.98	121.98

**SCHEDULE
CULTURE & RECREATION DEPARTMENT
SPORT FIELDS USER FEES**

Appendix "B" as referred To in
Section 3 of the 4th Report for 1999
of the Joint City/Region Budget
Steering Committee

NOTE: Rates are per hour unless otherwise indicated (GST included)

MINOR FACILITIES	<u>1999</u>	<u>2000</u>
YOUTH:		
Weekdays	\$2.49	\$2.54
Weekend (less than six hours)	\$2.49	\$2.54
Weekend (more than six hours)	\$4.99	\$5.09
Maximum per field per season	\$158.25	\$173.52

MINOR FACILITIES		
ADULT:		
Weekdays		
(Prime Time from 6:00 pm.)	\$6.09	\$6.21
Weekdays		
(Non Prime Time prior to 6:00 pm.	\$4.05	\$4.13
Weekends (book under 10 weeks)	\$6.00	\$6.12
Weekends (book 10 weeks or more)	\$4.05	\$4.13

MAJOR FACILITIES
YOUTH:

Ball Diamonds:

*Bernie Arbour Stadium

Game/Practice	- Resident	\$16.62	\$16.95
	- Non-Resident	\$24.93	\$25.43
Game (Tickets, Spectators,			
Tournaments)	- Resident	\$17.45	\$17.80
	- Non-Resident	\$26.17	\$26.69

*Mohawk Sports Park,
Victoria Park, Globe Park

Game/Practice	- Resident	\$14.41	\$14.70
	- Non-Resident	\$21.60	\$22.03
Game (Tickets, Spectators,			
Tournament)	- Resident	\$16.62	\$16.95
	- Non-Resident	\$24.93	\$25.43

		<u>1999</u>	<u>2000</u>
*Ivor Wynne Stadium:			
Game/Practice	- Resident	\$31.06	\$31.68
	- Non-Resident	\$46.59	\$47.52
 Game (Tickets, Spectators, Tournament)			
	- Resident	\$49.33	\$50.32
	- Non-Resident	\$74.00	\$75.48
 Soccer/Football Fields:			
*Mohawk Sports Park, Sackville Hill Park, Brian Timmis Stadium, H.A.A.A.			
	- Resident	\$14.95	\$15.25
	- Non-Resident	\$22.43	\$22.88
 Game (Tickets, Spectators, Tournament)			
	- Resident	\$17.72	\$18.07
	- Non-Resident	\$26.59	\$27.12
 Track and Field			
	- Resident	\$10.52	\$10.73
	- Non-Resident	\$15.78	\$16.10

MAJOR FACILITIES BOARDS OF EDUCATION:

Ball Diamonds:			
*Bernie Arbour Stadium			
Game/Practice	- Resident	\$29.36	\$29.95
	- Non-Resident	\$44.04	\$44.92
 Game (Tickets, Spectators, Tournaments)			
	- Resident	\$52.62	\$53.67
	- Non-Resident	\$78.93	\$80.51
 *Mohawk Sports Park, Victoria Park, Globe Park			
Game/Practice	- Resident	\$14.41	\$14.70
	- Non-Resident	\$21.60	\$22.03
 Game (Tickets, Spectators, Tournament)			
	- Resident	\$34.35	\$35.04
	- Non-Resident	\$51.51	\$52.54
 *Ivor Wynne Stadium:			
Game	- Resident	\$69.88	\$71.28
	- Non-Resident	\$281.31	\$286.94

		<u>1999</u>	<u>2000</u>
Soccer/Football Fields:			
*Mohawk Sports Park, Sackville			
Hill Park, Brian Timmis Stadium,			
H.A.A.A.	- Resident	\$14.95	\$15.25
	- Non-Resident	\$22.43	\$22.88
Game (Tickets, Spectators,			
Tournament)	- Resident	\$36.56	\$37.29
	- Non-Resident	\$54.83	\$55.93
Track and Field	- Resident	\$10.52	\$10.73
	- Non-Resident	\$15.78	\$16.10

MAJOR FACILITIES**ADULT:**

Ball Diamonds:

*Bernie Arbour Stadium

Game/Practice	- Resident	\$27.70	\$28.25
	- Non-Resident	\$41.54	\$42.37
Game (Tickets, Spectators,			
Tournaments)	- Resident	\$34.89	\$35.59
	- Non-Resident	\$52.34	\$53.39

*Mohawk Sports Park,
Victoria Park, Globe Park

Game/Practice	- Resident	\$25.46	\$25.97
	- Non-Resident	\$36.56	\$37.29
Game (Tickets, Spectators,			
Tournament)	- Resident	\$27.70	\$28.25
	- Non-Resident	\$41.53	\$42.36

*Ivor Wynne Stadium:

Game/Practice	- Resident	\$62.11	\$63.35
	- Non-Resident	\$93.17	\$95.03

Game (Tickets, Spectators,
Tournament)

- Resident	\$77.64	\$79.19
- Non-Resident	\$116.47	\$118.80

Soccer/Football Fields:

*Mohawk Sports Park, Sackville

Hill Park, Brian Timmis Stadium,

H.A.A.A.	- Resident	\$24.93	\$25.43
	- Non-Resident	\$37.38	\$38.13

		<u>1999</u>	<u>2000</u>
Game (Tickets, Spectators, Tournament)	- Resident	\$29.92	\$30.52
	- Non-Resident	\$44.87	\$45.77
Track and Field	- Resident	\$21.05	\$21.47
	- Non-Resident	\$15.78	\$16.10
MAJOR FACILITIES			
SEMI PRO:			
Ball Diamonds:			
*Bernie Arbour Stadium			
Game/Practice	- Resident	\$58.72	\$59.89
	- Non-Resident	\$88.07	\$89.83
Game (Tickets, Spectators, Tournaments)	- Resident	\$105.24	\$107.34
	- Non-Resident	\$157.86	\$161.02
*Mohawk Sports Park, Victoria Park, Globe Park			
Game/Practice	- Resident	\$28.80	\$29.38
	- Non-Resident	\$43.21	\$44.07
Game (Tickets, Spectators, Tournament)	- Resident	\$68.68	\$70.05
	- Non-Resident	\$103.03	\$105.09
*Ivor Wynne Stadium:			
Game/Practice	- Resident	\$93.17	\$95.03
	- Non-Resident	\$139.76	\$142.55
Game (Tickets, Spectators, Tournament)	- Resident	\$260.69	\$265.90
	- Non-Resident	\$391.05	\$398.87
Soccer/Football Fields:			
*Mohawk Sports Park, Sackville Hill Park, Brian Timmis Stadium, H.A.A.A.			
	- Resident	\$29.92	\$30.52
	- Non-Resident	\$44.87	\$45.77
Game (Tickets, Spectators, Tournament)	- Resident	\$73.12	\$74.58
	- Non-Resident	\$109.67	\$111.86

**SCHEDULE
CULTURE AND RECREATION DEPARTMENT
ARENAS USER FEES**

	Current Rate 1999/2000	Proposed 2000/2001
<u>ARENAS: EFFECTIVE 2000 OCTOBER 1(GST included)</u>		
Recreational Programming/ (House Leagues)	57.00	59.00
Hub Hockey/ (Intermediate, Select Teams)	65.00	67.00
Rep Program	72.00	74.00
Can skate/Figure Skate	81.00	81.00
Private Rental Prime Time 5:00 p.m. – 6:00 a.m.	139.00	142.00
Non Prime 6:00 a.m. – 5:00 p.m.	93.00	95.00
Tournament Youth	83.00	85.00
Adult	139.00	142.00
Affiliated Organizations	88.00	90.00
Year Round Figure Skating Card	108.00	110.00
Daytime (4 hour minimal) Rental	75.00	80.00
*Ice Rates not inclusive of Community Room		

CHEDOKE TWIN PAD (All rates as above unless specified below)

Private Rental	Prime Time	170.00	170.00
	Non Prime	140.00	145.00
Adult Tournament Rate		170.00	170.00

ICE SUMMER RATE: EFFECTIVE 2000 MAY 1

Adult	Non Prime 6:00 a.m. – 5:00 p.m.	140.00	145.00
	Prime 5:00 p.m. – 6:00 a.m.	175.00	175.00
	Weekend	175.00	175.00
	Youth Anytime	120.00	125.00

SUMMER FLOOR (NON ICE): EFFECTIVE 2000 MAY 1

Adult/Profit Non Affiliated Groups	52.00	55.00
Youth	37.00	37.00
Intermediate (Select)(Lacrosse)	47.00	47.00
Tournaments	62.00	63.00

ROOM RATES: EFFECTIVE 2000 MAY 1

Community Rooms	21.00/hr
\$25.00/hr	

*Equipment Rental – Overtime and Staff time will be charged at cost for Tournaments and Hockey Schools

COMMUNITY ARENA PUBLIC SKATE CARD**SCHEDULE**

	1999 Resident	2000 Proposed	1999 Non-Resident	2000 Proposed
Family 2 adults/2 children	\$52.00	\$55.00	\$78.00	\$81.00
Adult	\$36.00	\$38.00	\$54.00	\$56.00
Youth	\$21.00	\$22.00	\$31.00	\$31.00
Senior	\$21.00	\$22.00	\$31.00	\$31.00
Special Needs	\$21.00	\$22.00	\$31.00	\$31.00
Replacement	\$ 3.00	\$ 3.00	\$ 4.00	\$ 4.00

ONE TIME ADMISSIONS**ARENAS**

	1999	2000
Family	\$6.00	\$6.00
Adult	\$4.00	\$4.00
Youth	\$3.00	\$3.00
Senior/Special Needs	\$3.00	\$3.00

**SCHEDULE
CULTURE AND RECREATION DEPARTMENT**

EAST AND WEST RECREATION DISTRICTS

1. MEMBERSHIPS – CITY-WIDE Recreation Cards (G.S.T. Included)
Effective May 29, 2000

	Yearly Resident Current	Yearly Resident Proposed	Yearly Non-Resident Current	Yearly Non-Resident Proposed
Family	\$93	\$96	\$140	\$144
Adult	\$59	\$61	\$ 89	\$ 91
Youth	\$27	\$28	\$ 41	\$ 42
Senior	\$25	\$26	\$ 37	\$ 39
Special Needs	\$21	\$22	\$ 32	\$ 33
Replacement	\$3	No Change	\$ 4	No Change

2. SINGLE ADMISSION FEE – Recreation Centre – Year-round – (G.S.T. included)
Effective May 29, 2000

	Resident Current	Resident Proposed
Family	\$6 – Limited to 2 adults and three youths	No Change
Adult	\$3	No Change
Youth	\$2	No Change
Senior	\$2	No Change
Special Needs	\$2	No Change

3. AQUATIC REGISTRATION FEE – (G.S.T. Included)
Effective May 29, 2000

	<i>Current</i>	<i>Proposed</i>
Instructional	\$25	No Change up to AquaQuest 6
Instructional	\$25	\$27 - for AquaQuest 7 and up
Special Interest Aquatics	\$5 per "club" * If Reg. Fee paid	No Change

4. SUBSIDIZED RATES - (G.S.T. Included)
Effective May 29, 2000

	<i>Current</i>	<i>Proposed</i>
Family	\$25	\$30
Adult	\$15	\$20
Youth	\$ 7	\$10
Aquatic Fee	\$ 8	\$10

5. SWIMMING LESSONS - (G.S.T. Included)
Effective June 1, 1999

	<i>Current</i>	<i>Proposed</i>
Private	\$15	No Change
Semi-Private	\$ 7	No Change

6. POOL RENTALS PER HOUR – (G.S.T. Included)

Effective June 1, 1999

	Current	Proposed	Clubs and Weekly User Groups						
Prime Time	\$88	No Change	Adults - \$40 – No Change						
Non-Prime	\$55	No Change	Youth - \$20 - No Change						
Hot Pool Rental	\$30	No Change	Outdoor Pools						
Huntington Slide	\$25	No Change	<table><tr><th>Current</th><th>Proposed</th></tr><tr><td>Large - \$50/hr</td><td>N/C</td></tr><tr><td>Wading - \$25/hr</td><td></td></tr></table>	Current	Proposed	Large - \$50/hr	N/C	Wading - \$25/hr	
Current	Proposed								
Large - \$50/hr	N/C								
Wading - \$25/hr									

7. COMMUNITY ROOM RENTALS – (G.S.T. Included)**Effective June 1, 1999**

Adult Groups	\$20 per hour	\$30 2 hrs.	No Changes Proposed
Youth Groups	\$15 per hour	\$25 2 hrs.	No Changes Proposed
Commercial	\$45 per hour		No Change
Seasonal Rate (10 weeks – Adult and Youth)	\$125		No Change

Effective September 4, 2000

	Current	Proposed
Daytime Self-Contained Programs (Nursery Schools, etc.)	\$17 per ½ day	\$19 per ½ day
Social Service Agencies (Community Action Program, Canadian Mental Health Association, etc.)	\$ 7 per date	No Change

6. COMMUNITY ROOM RENTALS – CONT'D

SACKVILLE HILL SENIORS' CENTRE		RENTAL RATES per Hour
MEETING ROOM		
COMMERCIAL	\$70	No Changes
GENERAL PUBLIC – NON PROFIT	\$50	
COMMUNITY ORG. – NON PROFIT	\$40	
SR. MEMBERSHIP – NON-PROFIT	\$35	
MULTI-PURPOSE ROOM & FIRESIDE LOUNGE		
COMMERCIAL	\$100	
GENERAL PUBLIC-NON PROFIT	\$85	
COMMUNITY ORG. – NON PROFIT	\$75	
SR. MEMBERSHIP – NON PROFIT	\$70	

8. GYM RENTALS – (G.S.T. Included) – No Change

i) Board of Education Rates
(Apply to Non-Recreation Centre Permitted Times at School Facilities)

	Weekdays	Saturdays	Sunday & Holidays
Adult	\$38.20 per four hour block	\$24.24 per hr. plus one hour	\$32.31 per hour plus one hour
Youth	\$25.00 per four hour block	\$24.24 per hr. plus one hour	\$32.31 per hour plus one hour

ii) All Recreation Centre Permitted Time
Effective September 1, 1999

	Weekdays		Weekends	
	<u>Current</u>	<u>Proposed</u>	<u>Current</u>	<u>Proposed</u>
Adult	\$25 per hour	No Change	\$25 per hour	No Change
Youth	\$12 per hour	No Change	\$15 per hour	No Change

- iii) **Commercial** \$45 per hour
- iv) **Youth Tournament (NEW)** \$25 per hour – No Change
- Non Affiliated

9. HAMILTON BASKETBALL ASSOCIATION

Effective February 28, 2000

Current	Proposed
\$60	\$65

10. CAMP KIDACA

Effective May 1, 2000

<i>Resident</i>	<i>Resident</i>	<i>Non-Resident</i>	<i>Non-Resident</i>
Current	Proposed	Current	Proposed
\$70	\$75	\$105	\$112

11. SUMMER RECREATION CENTRE/OUTDOOR POOL MEMBERSHIPS

– (G.S.T. Included)

Effective June 1, 2000

	Resident Current	Non-Resident Current	Outdoor Pool Only Single Admission
Family	\$50 – No Change	\$75 – No Change	\$6 *
Adult	\$31 – No Change	\$47 – No Change	\$3
Youth	\$20 – No Change	\$30 – No Change	\$2
Senior	\$15 – No Change	\$25 – No Change	\$2
Special Needs	\$15 – No Change	\$25 – No Change	\$2
Replacement	\$2 – No Change	\$3 – No Change	

* Limited to two adults and three youths.

APPENDIX

SUMMARY OF PROPOSED USER FEES FOR 2000 WITHOUT P.S.T.

a) GENERAL PUBLIC and DISCOUNT GROUP ADMISSIONS

General admission is a core function of museum operation which offers universal access and provides community benefit – offered during public hours.

Group tours/travel trade provide economic spin-offs through tourism and additional revenues using museums as innovators of group travel. Prices are discounted from the full public admissions.

	Current		Proposed	
Dundurn Castle(dc)	Regular	Group	Regular	Group
Adult dc	5.01	5.05	5.84	5.61
mm	0.60	n/a	0.70	n/a
Sub-total	5.61	5.05	6.54	5.61
Gst	0.39	0.35	0.46	0.39
Total	6.00	5.40	7.00	6.00
Senior dc	4.64	4.21	5.06	3.97
mm	0.50	n/a	0.55	n/a
Sub-total	5.14	4.21	5.61	3.97
Gst	0.36	0.29	0.39	0.28
Total	5.50	4.50	6.00	4.25
Student dc	4.27	3.74	4.64	no
change				
mm	0.40	n/a	0.50	n/a
Sub-total	4.67	3.74	5.14	3.74
Gst	0.33	0.26	0.36	0.26
Total	5.00	4.00	5.50	4.00
Child dc	2.09	2.10	2.50	no change
mm	0.25	n/a	0.30	n/a
Sub-total	2.34	2.10	2.80	2.10
Gst	0.16	0.15	0.20	0.15
Total	2.50	2.25	3.00	2.25

	Current		Proposed	
Familydc	13.25	n/a	15.12	n/a
mm	1.70		1.70	
Sub-total	14.95		16.82	
Gst	1.05		1.18	
Total	16.00		18.00	
Military Museum(mm)	Regular	Group	Regular	Group
Adult	1.87	1.68	2.10	1.87
Gst	0.13	0.12	0.15	0.13
Total	2.00	1.80	2.25	2.00
Senior	1.63	1.45	1.87	1.68
Gst	0.12	0.10	0.13	0.12
Total	1.75	1.55	2.00	1.80
Student	1.63	1.45	1.87	1.68
Gst	0.12	0.10	0.13	0.12
Total	1.75	1.55	2.00	1.80
Child	1.40	1.26	1.63	1.45
Gst	0.10	0.09	0.12	0.10
Total	1.50	1.35	1.75	1.55
Family	5.61	n/a	6.54	n/a
Gst	0.39		0.46	
Total	6.00		7.00	
Whitehern				
Adult	Regular	Group	Regular	Group
	3.27	2.80	no change	
Gst	0.23	0.20		
Total	3.50	3.00		
Senior	2.80	n/a	no change	
Gst	0.20			
Total	3.00			
Student	2.34	1.87	no change	
Gst	0.16	0.13		
Total	2.50	2.00		

Child	Regular	Group	Regular	Group
	1.87	n/a	no change	
Gst	0.13			
Total	2.00			

Family	9.35	n/a
Gst	0.65	
Total	10.00	

Current**Proposed**

Children's Museum
Child
Gst
Total

2.34
0.16
2.50

no change

Caregiver

complimentary

no change

Additional
Caregivers
Gst
Total

0.93
0.07
1.00

no change

Membership

10.00

no change

(no GST – sold by Friends \$5.00 to the Museum)

Steam Museum

Adult	Regular	Group	Regular	Group
	3.74	3.27	no change	
Gst	0.26	0.23		
Total	4.00	3.50		

Senior	3.27	n/a
Gst	0.23	
Total	3.50	

no change

Student	2.80	2.34
Gst	0.20	0.16
Total	3.00	2.50

no change

Child	2.34	n/a
Gst	0.16	
Total	2.50	

no change

Family	Regular	Group	Regular	Group
	10.28	n/a	no change	
Gst	0.72			
Total	11.00			
Membership	9.35	n/a	no change	
Gst	0.65			
Total	10.00			

	Current	Proposed
Museum Pass		
Adult Senior	10.28	11.21
Gst	0.72	0.79
Total	11.00	12.00
Student/Child	7.48	7.94
Gst	0.52	0.56
Total	8.00	8.50

b) EDUCATIONAL PROGRAMMES

An important element of the museum mandates and targets future generation of museum supporters.

	Current	Proposed
Dundurn Castle		
Short programmes	3.00	no change
Medium programmes	4.00	no change
Long Programmes	5.00	no change
 Military Museum		
Child short programme	2.25	2.50
Child long programme	4.50	5.00
Student short programme	2.24	2.52
Gst	0.16	0.18
Total	2.40	2.70
Student long programme	4.48	5.00
Gst	0.32	0.35
Total	4.80	5.35

(minimum charges apply and there are discounts for groups of 20+)

Whitehern	Current	Proposed	
Child programme	2.00		no change
Bookbinding	4.00		no change
Badge	5.00		no change
Student programme	1.87		2.34
Gst	0.13		0.16
Total	2.00		2.50

Children's Museum

Child programme (minimum charges apply)	2.50		no change
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Steam Museum

Child programme short	2.25		no change
Child programme long	4.50		no change

Student programme short	2.10		no change
Gst	0.15		
Total	2.25		

Student programme long	4.21		no change
Gst	0.29		
Total	4.50		

c) SPECIAL PROGRAMMES

Events expand museum programmes and realize a larger target market resulting in increased audiences. Participants are both local and out of town.

Prices vary with both museum and programme. There are no price increases requested for 2000.

REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW

To the Council of the Corporation of the City of Hamilton.

Members of Council

The Mayor presents his **THIRD** Report for 1999 and respectfully recommends:

1. **Reorganization of the Transportation, Operations and Environment Division (RDS99079a)**

That, in order to phase in a fully amalgamated organization structure and to maximize the savings to be realized the 2000 budget, the interim organization structure for the Public Works Department as outlined in Report RDS99079a, be adopted.

2. **OMERS Retirement Incentive Plan – Restructuring – Culture and Recreation Department (CSC99041)**

- (a) That the restructuring plan for the Department of Culture and Recreation, as an outcome of the Voluntary Early Retirement Incentive Program, reducing the full time complement by 16 and producing net savings of \$252,900 as outlined in Report CSC99041, be approved; and
- (b) That staff be authorized to do all things necessary thereto.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Corsini, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –14.

NAYS: Alderman Haining. -1.

CARRIED.

Respectfully Submitted

MAYOR R. M. MORROW

J. J. Schatz, Secretary
November 9, 1999

CAY ON HBL AOS

M21

1999

November 24/25, 1999

URBAN MUNICIPAL

Minutes of the Special Meeting of City Council
November 24/25, 1999
1:30 o'clock p.m.
Council Chambers, City Hall

DEC 24 1999

GOVERNMENT DOCUMENTS

The Council met:

Present: Mayor R. M. Morrow, Chairman.
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli, D. Haining,
D. Wilson, G. Copps, C. Collins, F. Eisenberger, T. Jackson, B. Charters,
T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan.

Mayor R. M. Morrow called the meeting to order.

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole and the Finance and Administration Committee be considered in Committee of the Whole with Mayor Morrow in the chair. **CARRIED.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining,
Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly,
D'Amico, O'Sullivan. -17.

NAYS: -0. **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE – EIGHTEENTH REPORT

Council recessed at November 24, 1999 at 1:45 o'clock p.m. in order to permit a Joint meeting of the City/Regions Committee of the Whole and Regional Council to meet following which it reconvened at 3:00 o'clock p.m. on November 25, 1999.

COMMITTEE OF THE WHOLE – SEVENTH REPORT

Section 4 Re: Use of Corporate Passenger Vehicles

It was moved by Alderman Collins and seconded by Alderman Jackson that Section 4 of the Seventh Report for 1999 of the Committee of the Whole respecting the Use of Corporate Passenger Vehicles be tabled. **CARRIED.**

November 24/25, 1999

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Report of the Finance and Administration Committee and the Committee of the Whole be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

City Council then adjourned at 3:30 o'clock p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

J. J. Schatz, Municipal Clerk
November 24/25, 1999
JJS/dg

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **EIGHTEENTH** Report for 1999 and respectfully recommends:

1. **Leasing Services for Desktop and Notebook Personal Computers, Printers, Network Servers, and Related Components (ITS99-11)**
 - (a) That Newcourt Financial Ltd. Be substituted for Leasing Solutions Inc. as the leasing partner of JMG CompuSmart to provide leasing services for desktop and notebook personal computers, printers, servers and related components up to December 31, 2000; and,
 - (b) That the Mayor and the Municipal Clerk be authorized to execute the master lease agreement with Newcourt Financial Ltd. together with any ancillary documents, all to be in a form satisfactory to Corporate Counsel; and,
 - (c) That the Director of Information Technology Services be authorized and directed to execute all schedules to the master lease agreement as they arise from time to time.
2. **Proposed Sale of City Owned Lands – 80 Queen Street North (LS99016b)**
 - (a) That the City of Hamilton enter into an Agreement of Purchase and Sale, consistent with the draft Agreement of Purchase and Sale dated November 24, 1999, attached hereto as Schedule A, to be in a form satisfactory to Corporate Counsel; and,
 - (b) That staff be directed to review and report back with recommendations in respect of the sale of City-owned contaminated sites; and,
 - (c) That LIUNA be the guarantor for the \$600,000 obligation set out in the Agreement and that this obligation survives closing.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. WILSON
CHAIRMAN
FINANCE AND ADMINISTRATION
COMMITTEE**

Susan K. Reeder, Legislative Assistant
November 24, 1999

November 24/25, 1999

SCHEDULE "A" TO REPORT CS99016a

OFFER TO PURCHASE

I/We the Laborers' International Union of North America (LIUNA), in trust for a non-profit corporation to be incorporated,
44 Hughson Street, South
Hamilton, Ontario
L8N 2A7

in the Regional Municipality of Hamilton-Wentworth

of the City of Hamilton,

hereinafter called the Purchaser,

hereby agree to and with THE CORPORATION OF THE CITY OF HAMILTON,

hereinafter called the Vendor,

to purchase all and singular that certain parcel or tract of land and premises situate in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and being composed of Parts 1 and 2 on Reference Plan 62R-7200, together with a right-of-way over Part 3 on Reference Plan 62R-7200, having a frontage along the easterly limit of Queen Street North of 81.043 metres (265.9 feet) more or less, and containing an area of 7,920.8 square metres (1.96 acres) more or less, known municipally as 80 Queen Street North, Hamilton,

hereinafter called the said lands,

at the price of One ————— DOLLARS (\$1.00) of lawful money of Canada, with interest as hereinafter provided, and subject to adjustments, by certified cheque on the closing of this transaction.

Provided that this Offer to Purchase is subject to the following terms and conditions:

Forming part of this Offer to Purchase are Schedules "A", "B", "C" and "D" attached hereto.

1. This Offer shall be irrevocable by the Purchaser and may be accepted by the Vendor up to but not after the ~~16th day of November, 1999~~ ^{Nov 24/99}, by a letter mailed or delivered to the Purchaser at the offices of the Purchaser's solicitor at 1070 Stone Church Road East, Unit 41, Hamilton, Ontario, L8W 3K8.
2. In the event that this Offer is not accepted, this Offer and everything herein contained shall be null and void and no longer binding upon any of the parties hereto and the deposit shall be returned by the Vendor without interest and neither the Vendor nor the Purchaser shall be liable for any damages or costs.
3. In the event of and upon the acceptance of this Offer, this Offer and the letter of acceptance shall be a binding contract of purchase and sale and shall be completed in accordance with the terms hereof.
- ✓ 4. The title is good and free from all encumbrances, except as to the restrictions and covenants described in Section 8 hereof.
5. The Purchaser is not to call for the production of any title deeds abstract or evidence of title except such as are in the possession of the Vendor.
6. The Purchaser is to be allowed nine (9) days from the date of acceptance of this Offer to examine the title at its own expense. If within that time any valid objection to title is made in writing to the Vendor, or its Solicitor, which the Vendor shall be unable or unwilling to remove and which the Purchaser will not waive, the contract arising out of the acceptance of this Offer shall, notwithstanding any intermediate acts or negotiations in respect of such objections, be null and void and all monies shall be returned by the Vendor without interest and neither party shall be liable to the other for any damages or costs. Save as to any valid objections so made within such time the Purchaser shall be conclusively deemed to have accepted the title of the Vendor to the real property.
7. This agreement is made on all of the express and specific conditions as hereinafter contained, upon which the Vendor relies, and failing the fulfilment of any one or more of them on or before closing this agreement, even though accepted, shall at the sole option of the Vendor become null and void, in which event the Purchaser shall forfeit the deposit monies and all other monies paid hereunder to the Vendor, as liquidated damages, and shall return to the Vendor any monies paid by the Vendor towards the cost of remediation of the subject lands. The Vendor may waive any one or all of the ~~said~~ ^{following} conditions at its option, without prejudice to its right of rescission in the event of the non-fulfilment of any other condition or conditions, and any such waiver shall be binding upon the Vendor only if the same is in writing and submitted to the Purchaser in accordance with the notice provisions hereof. The following are also deemed to be covenants and warranties on the part of the Purchaser:

8. The Purchaser, also known as the Transferee, agrees with the Vendor, also known as the Transferor, to the following covenants, warranties, conditions, and restrictions, and agrees that the transfer to it of the said lands shall be subject to the following covenants, warranties, conditions and restrictions, which shall not merge on the closing of this transaction but shall continue on after the day of closing and run with the land:
- 8.1 The Transferee will prepare and obtain approval of a site plan pursuant to the *Planning Act* (Ontario) prior to the issuance of a building permit and the Transferee will enter into, at its sole cost and expense, the Transferor's standard form of site plan agreement for the said lands with the Transferor for the development of a nursing home in the form annexed hereto as Schedule "D". The Transferee will complete all terms, conditions and covenants imposed upon it by the site plan agreement.
- 8.2 The site plan described in section 8.1 above is to include provision for a small parkette or tot lots (hereinafter referred to as the "Parkette") having dimensions of approximately 27 metres by 25 metres as shown cross-hatched on the draft site plan annexed hereto as Schedule "C" ~~annexed hereto~~. The Transferee will convey title to the Parkette to the Transferor forthwith following the approval of the site plan by the Transferor in full and final satisfaction of any obligation imposed under the *Planning Act* (Ontario) or otherwise to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes (it being acknowledged that the area of the Parkette exceeds five percent (5%) of the overall area of the said lands). For further certainty, the Transferor agrees that the Transferee shall not be required to dedicate or convey any lands to the municipality for public purposes in connection with the approval of the said site plan other than the Parkette, which shall thereafter be maintained by the Transferor at its own expense.
- 8.3 The Transferee may be required to apply for a re-zoning of the property in the event that the Transferee's proposed use of the said lands is not permitted by the zoning by-law. Such application is subject to the approval of the Transferor and the approval of the Ontario Municipal Board.
- 8.4 Construction of all buildings and landscaping improvements on the said lands by the Transferee will conform to the site plan agreement agreed upon and approved by the Transferor, the Regional Municipality and the Transferee.
- 8.5 The Transferee shall obtain all government permits and approvals required for the Transferee's proposed use of the said lands, and satisfy all requirements and restrictions imposed thereby, from the Transferor, the Regional Municipality and all governmental authorities having jurisdiction, at its own cost.
- 8.6 The Transferee shall commence construction of the nursing home building, having a minimum building area of 70,000 square feet, by not later than May 1, 2000. Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.
- 8.7 The Transferee shall complete construction of the said building by not later than May 1, 2002. The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.
- 8.8 No transfer of the said lands shall be made by the Transferee until the Transferor confirms that the covenants in Paragraphs 8.6 and 8.7 have been complied with. Notwithstanding the foregoing: (i) the Transferee shall have the right to transfer the said lands to another non-profit corporation or corporations from time to time as the Transferee in its sole discretion considers appropriate, subject to obtaining the prior written consent of the Transferor to such transfer, which consent shall not be unreasonably withheld; and (ii) the foregoing restriction on transfer shall not extend to a transfer by a mortgagee of the said lands, nor to any person to whom the said lands are transferred by the mortgagee or any successor in title to such person.
- 8.9.1 If the Transferee fails to comply with the conditions in Paragraphs 8.6 and 8.7 or either of them by the date(s) set out therein at any time prior to the date (the "Mortgage Advance Date") which is the later of (i) the date on which a construction mortgage is registered against title to the said lands in favour of a third party (the "Construction Lender") and (ii) the date on which the Construction Lender notifies the Transferor in writing that it has advanced funds to the Transferee pursuant to the said mortgage, then the Transferor shall have the right to enter upon the said lands upon thirty (30) days' notice to the Transferee, and any such entry by the Transferor, pursuant to the terms hereof, shall determine the estate of the Transferee in the said lands. Notice of the entry may be registered by the Transferor on title to the said lands. For greater certainty, the Transferor acknowledges and agrees that its rights described in this subsection 8.9.1 shall terminate and be of no further force or effect from and after the Mortgage Advance Date. To this intent, the Transferor shall execute and deliver a registrable release of such rights, in form satisfactory to the Construction Lender's solicitors, acting reasonably, within fourteen (14) days of the Mortgage Advance Date.
- 8.9.2 If the Transferee fails to comply with the conditions in Paragraphs 8.6 and 8.7 or either of them by the date(s) set out therein at any time on or after the Mortgage Advance Date, the Transferee shall, within thirty (30) days of written demand by the Transferor, pay to the Transferor the sum of Six Hundred Thousand Dollars (\$600,000.00) by certified cheque or bank draft, representing the estimated value of the said lands following the completion of the RAP as defined in Schedule "A" hereto. Such payment shall be in lieu of, and not in addition to, any and all other remedies available to the Transferor as a consequence of the failure of the Transferee to comply with the conditions in Paragraphs 8.6 and 8.7 as aforesaid. To this intent, the Transferor agrees to deliver to the Transferee a registrable release of Paragraphs 8.6 and 8.7, in form satisfactory to the Transferee's solicitors, acting reasonably, within fourteen (14) days of the Transferor's receipt of such payment.
- 8.10 Upon entry by the Transferor pursuant to subsection 8.9.1 above, the Transferee at its own cost shall execute and deliver to the Transferor a transfer of the said lands to the Transferor free and clear of all charges, encumbrances, liens, claims, or adverse interests whatsoever, if requested by the Transferor, for the sale price herein, namely \$1.00, and the Transferee shall pay to the Transferor (a) all monies advanced by the Transferor towards the remediation of the said lands under the cost sharing provisions contained in Schedule "A" annexed hereto, without deduction, (b) all

arrears of realty taxes, penalty and interest (including local improvement charges), (c) all amounts required to discharge any mortgages, liens, charges or other encumbrances against the said lands and (d) all costs of the Transferor incurred in entering on the land and retaking and reselling the land and further, without increase or compensation for any improvements, additions, alterations in, on or under the said lands.

- 8.11 The Transferee acknowledges and agrees that the Transferee's proposed private sewer servicing scheme for the proposed nursing home development will not overload the existing sewer systems, as determined by the Regional Water and Wastewater Environments Department, failing which the Transferee will not be able to proceed with the proposed use.
- 8.12 The Transferee acknowledges and agrees that the Transferee is responsible for all costs, charges, fees, levies and rates affecting the said lands and for providing all services required on the said lands. In particular, without limiting the generality of the foregoing, the Transferee is responsible for the following:
 - 8.12.1 Municipal, realty and business taxes.
 - 8.12.2 Municipal local improvement charges for streets, sidewalks and curbs.
 - 8.12.3 Municipal local improvement charges for water supply, storm sewers and sanitary sewers.
 - 8.12.4 Building permit application fee.
 - 8.12.5 Storm, sanitary sewers and waterline laterals under the street and under the said lands.
 - 8.12.6 All utility connections to the said lands.
 - 8.12.7 The construction of a driveway to and over the said lands.

Notwithstanding the foregoing, the Transferor acknowledges and agrees that it has represented to the Transferee that the Transferor shall reimburse to the Transferee any and all applicable application, inspection and permit fees, and processing and review fees, and that there are no development charges or levies applicable to the said lands and any construction thereon, in accordance with the Transferor's "Downtown Core Development Plan policies" in effect as of the date of acceptance of the offer contained herein, save and except that the Transferee shall not be entitled to a refund of any parkland dedication which might otherwise have been applicable under such policies.

- 8.13 The Transferee agrees to obtain the approval of the Ministry of the Environment for construction of any new buildings, plant or equipment on the said lands, which approval is required in respect to emission of contaminants in the natural environment, and that the Transferee agrees to notify all purchasers or prospective purchasers of this requirement prior to the sale of the said lands and that the Transferee satisfy the requirements of the Ministry of the Environment in regard to the notification to all purchasers and prospective purchasers.
- 8.14 The Transfer of the said lands to the Transferee shall contain a restriction preventing the use of the said lands for any purposes other than a nursing home, short term care facility, long term care facility, day care, park, and any uses ancillary thereto. The Transferee further agrees to consent to the re-zoning of the said lands by the Transferor in order to limit the uses permitted upon the said lands under the Transferor's zoning by-laws to a nursing home, short term care facility, long term care facility, day care, park, and any uses ancillary thereto.
9. This agreement may not be assigned by the Purchaser without the written consent of the Vendor. Notwithstanding the foregoing, the Purchaser may assign this agreement to another non-profit corporation or corporations from time to time as the Purchaser in its sole discretion considers appropriate, subject to obtaining the prior written consent of the Vendor to such assignment, which consent shall not be unreasonably withheld.
10. This transaction shall be closed on or before the 6th day of December, 1999.
11. On the closing of this transaction, the Vendor will convey the said lands to the Purchaser by good and sufficient deed thereof in fee simple, free and clear of all encumbrances (except those restrictions and covenants described in Section 8 hereof), and shall deliver vacant possession of the said lands to the Purchaser free and clear of all tenancies.
12. The Purchaser shall assume taxes, local improvements, water and sewer rates, except as such charges and rates may be in arrears, from the date set out in Paragraph 10 hereof. All such charges and rates shall be apportioned and adjusted as of the closing date.
13. Pending completion of this transaction, the Vendor will hold fire insurance policies and the proceeds thereof in trust for the parties hereto as their interests may appear and in the event of damage to the said premises the Purchaser may either take the proceeds of the insurance, if any, and complete the purchase or may cancel this Offer whether accepted or not and have all monies theretofore paid returned without interest.
14. The deed or transfer is to be prepared at the expense of the Vendor. The deed is to be registered at the expense of the Purchaser. For further certainty, the parties agree that the said deed or transfer shall in no circumstances contain any of the covenants and restrictions contained in this agreement other than those set out in Section 8 hereof.
15. This agreement and its acceptance is to be read with all changes of gender or number required by the context.
16. In the event of failure of the Purchaser to complete this transaction by the date set out in Paragraph 10 hereof the

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deposit shall be forfeited to the Vendor as liquidated damages, in addition to any other right or remedy to which the Vendor may be entitled hereunder.

17. It is understood and agreed by the Purchaser and Vendor that the Vendor does not warrant the suitability of the land for any development use or any proposed use.
18. It is understood and agreed by the Purchaser that there have been no warranties and /or representations made by the Vendor whatsoever with respect to the said lands and that the said lands are being purchased on an "as is" basis. The Purchaser further acknowledges and agrees that the Vendor is making no representations or warranties whatsoever with respect to the said lands. The Purchaser acknowledges that it has relied entirely upon its own environmental site assessment, inspection and investigation with respect to quantity and value of the said lands. For further clarity, the parties agree that this paragraph 18 is not intended to limit the Vendor's obligations to pay towards the cost of remediation as set out in Schedule "A" annexed hereto.
19. It is understood and agreed by the Purchaser that the Vendor makes no representation, warranty, condition either express or implied as to soil or other environmental conditions, utilities, fitness for purpose of zoning and building by-laws, park, road widening or other possible dedications, or as to charges, levies and regulation of the City, the Regional Municipality, utilities or other regulatory authorities. The Purchaser shall inspect the said lands and shall satisfy itself with respect to such matters prior to submitting this Offer.
20. Subject to subsection 8.12 above, it is understood and agreed by the Purchaser that when the Purchaser develops the said lands it will be required to pay any and all applicable charges, fees and levies or other federal, provincial or local taxes and rates that may be charged, assessed or levied, including but not limited to development charges and sewer charges.
21. It is understood and agreed by the Purchaser that it has inspected the said lands and has conducted an independent investigation of present and past uses of the said lands and that the Purchaser has not relied on any representations by the Vendor concerning any condition of the said lands, environment or otherwise. The Purchaser shall from and after the closing date assume any and all risks relating to the physical condition of the said lands, and any and all environmental liabilities relating to the said lands, including but not limited to any liability for clean up of any hazardous substances on or under the said lands. Neither the Purchaser nor any permitted occupant shall have any recourse to the Vendor as a result of the nature and condition of the said lands, whether or not the Vendor has or had actual or imputed knowledge of such nature and condition as to the date of the Purchaser's taking title to the said lands. For further clarity, the parties agree that this paragraph 21 is not intended to limit the Vendor's obligations to pay towards the cost of remediation as set out in Schedule "A" annexed hereto.
22. The Purchaser agrees to release, indemnify and hold harmless the Vendor, its officers, officials, employees, contractors and agents from and against all actions, causes of action, interests, claims, demands, fines, costs, damages, expenses or loss relating to any environmental condition of the said lands caused on or after the closing date which the Vendor may suffer, incur, bear, be subject to or liable for. For further clarity, the parties agree that this paragraph 22 is not intended to limit the Vendor's obligations to pay towards the cost of remediation as set out in Schedule "A" annexed hereto. The Vendor further represents and warrants to the Purchaser that it has not received any notice of any potential actions, causes of action, claims or demands relating to any environmental condition of the said lands as of the date of acceptance of the offer contained herein, which representation and warranty shall survive, and not merge upon the completion of, the within transaction.
23. Any tender of documents or money may be made upon the parties hereto or their respective solicitors and shall be either by cash or certified cheque, or in the case of payment by the City, by means of the City's uncertified cheque.
24. It is agreed that there is no representation, warranty, collateral agreement, or condition affecting this agreement or the said lands other than as expressed herein in writing.
25. The Vendor and the Purchaser agree that this agreement and any or all of its terms and conditions, covenants, warranties and restrictions or stipulations shall not merge upon the closing of this transaction or upon the registration of a deed on title, but shall survive after the closing and shall continue in full force and effect. The Vendor shall not register notice of this Agreement or of any provision hereof on title to the property save and except notice of the covenants and agreements contained in paragraph 8 hereof which shall be included in the Transfer/Deed of the property to the Purchaser.
26. The cost of preparing and registering any releases on the completion or satisfaction of any conditions in this agreement shall be the responsibility of the Purchaser.
27. It is understood and agreed that if the said land is within a redevelopment area, the closing of this transaction is conditional upon the approval of the Minister of Municipal Affairs and Housing under The Planning Act. It is also understood and agreed that if the said land is within an urban renewal area, the closing of this transaction is conditional upon the approval of Canada Mortgage and Housing Corporation. In the event that either of the foregoing conditions, if applicable, are not satisfied, this Agreement shall be deemed null and void and the parties shall have no further liability or obligations hereunder.
28. If either party is delayed or hindered in, or prevented from, the performance of an act or compliance with a covenant required hereunder by reason of strikes, lock-outs, labour troubles, inability to procure materials, failure of power, restrictive governmental laws or regulations, riots, insurrection, war or other reason of a like nature not the fault of the party delayed in performing work or doing acts required under the terms of this agreement, then performance of the act will be excused for the period of the delay and the period for the performance of the act will be extended for a period equivalent to the period of the delay. The provisions of this section do not cancel or postpone or delay the due

November 24/25, 1999

date of a payment to be made by the parties hereunder.

If there is a conflict between any provision written or typed in this Agreement (including any Schedule to this Agreement) and any provision in the printed portion hereof, the written or typed provision shall supersede the printed provision to the extent of such conflict. This Agreement including any Schedule attached hereto shall constitute the entire Agreement between the Purchaser and Vendor. There is no representation, warranty, collateral agreement or condition, whether direct or collateral or expressed or implied, which induced any party hereto to enter into this Agreement or on which reliance is placed by any such party, or which affects this Agreement or the property or supported hereby, other than as expressed herein.

Time in all respects shall be of the essence of this agreement, provided that the time for doing or the completing of any matter provided for herein may be extended or abridged by an agreement in writing signed by the Vendor and the Purchaser or by their respective solicitors, who are hereby expressly appointed in this regard. In the event that any date or expiration of time period provided for in this agreement falls upon a Saturday, Sunday or statutory holiday, it is understood and agreed that such date or time period shall be deemed extended to the business day next following such Saturday, Sunday or statutory holiday. This agreement shall enure to the benefit of and be binding upon the Purchaser, its successors and assigns, and shall enure to the benefit of and be binding upon the Vendor, its successors and assigns.

DATED at Hamilton this day of November, 1999.

LABORERS' INTERNATIONAL UNION OF NORTH AMERICA

By: _____

Name: _____

Title: _____

And: _____

Name: _____

Title: _____

I/We have authority to bind the Union.

~~ACCEPTED by the Vendor at Hamilton this day of November, 1999.~~

THE CORPORATION OF THE CITY OF HAMILTON

By: _____

Name: _____

Title: _____

And: _____

Name: _____

Title: _____

I/We have authority to bind the Corporation.

Name of Purchaser's Solicitor: Anthony G. DiCenzo, DiCenzo & Associates.

Address of Purchaser's Solicitor: 1070 Stone Church Road East, Unit 41, Hamilton, Ontario, L8W 3K8.

SCHEDULE "A"

The financial contribution by the Vendor towards the costs associated with an environmental clean-up of the property shall be governed by the following provisions:

- (a) The Purchaser and the Vendor shall jointly retain Trow Consulting Engineers Ltd. (the "Environmental Consultant") in order to complete the environmental site assessment and remediation work hereinafter described, to ensure such work is carried out in compliance with all applicable governmental requirements and as specified in this agreement, and to oversee compliance with the cost sharing provisions described in paragraph (l) below. Provided further that, in the event of the failure or refusal of the Trow Consulting Engineers Ltd. to act, or with the agreement of both parties hereto, Trow Consulting Engineers Ltd. may be removed as the Environmental Consultant and replaced with an alternate qualified environmental consultant acceptable to both parties, acting reasonably, and thereafter such replacement consultant shall be deemed to be the "Environmental Consultant" for the purposes of this Agreement.
- (b) The parties agree that a full depth restoration of the whole of said lands shall be undertaken in accordance with the Ministry of Environment Table B guidelines described in paragraph (c) below and the further terms and provisions of this Schedule "A". (If in the construction of the proposed development it is necessary to remove and dispose of any contaminated fill that exceeds the Ministry of Environment (the "MOE") Table F guidelines the cost of such removal and disposal shall further be included in the "costs of the Remedial Work" described in subparagraph (l) below, provided that in no circumstances shall the removal of non-contaminated fill be included in such costs (it being understood and agreed that the cost of removal of non-contaminated fill shall be for the sole account of the Purchaser).) The Vendor specifically waives any requirement for the preparation of a Site Specific Risk Assessment in order to examine the possibility of other means of completing the environmental site remediation, irrespective of whether such alternate means could be completed at a lesser cost than a full depth restoration.
- (c) The Purchaser shall cause to be prepared and submitted to the Vendor, within twenty (20) days of the date of acceptance of the offer contained in this agreement, a Remedial Action Plan (the "RAP") satisfactory to the Environmental Consultant under which the said lands shall be brought to a condition such that all soil, fill and groundwater remaining on-site after a full depth remediation is completed shall meet the Table B (non-potable groundwater situations) guidelines for residential/parkland properties as documented in the MOE document "Guidelines for Use at Contaminated Sites in Ontario", revised February 1997 (or more recent revised version if updated prior to remediation commences). For greater certainty, the Vendor and the Purchaser acknowledge that the RAP will not include backfilling of the said lands and the Vendor shall not be responsible for completing any such backfilling.
- (d) The RAP:
 - (i) shall be prepared by the Environmental Consultant; and,
 - (ii) shall, at a minimum, include, but not be limited to, the following:
 - (1) identify areas and estimated volumes to be excavated and disposed; and,
 - (2) identify all costs associated with the excavation and disposal of all contaminated material from the site; and,
 - (3) the level of verification/confirmatory sampling to be conducted on all materials to remain on-site; and,
 - (4) a full schedule of activities including all reporting and documentation milestones which will include the RSC submissions and acknowledgements; and,
 - (5) specific activities to be conducted on-site prior to or during the remedial activities; and,
 - (6) the manner of remediation will address soil sampling within all sections of the site to provide assurances that all remaining materials meet the 1997 MOE Table B Guideline Criteria.
- (e) If the Purchaser does not submit the RAP within the required time, notwithstanding any intermediate acts or negotiations, then the agreement for financial contribution by the City, as set out in this Schedule "A", may be terminated by the Vendor and the Vendor may proceed to exercise its rights under clauses 8.9 and 8.10 of this Offer to Purchase.
- (f) The RAP shall include a contingency plan for dealing with soil and/or groundwater contamination encountered during the remedial activities that is not currently known.
- (g) All sampling and analytical procedures in support of the remedial activities must comply with the most recent version of the MOE document "Guidance on Sampling and Analytical Methods for Use at Contaminated sites in Ontario".
- (h) After the RAP is submitted to the Vendor and to the Purchaser in final form by the Environmental Consultant, the Purchaser shall carry out and fully complete the implementation of the RAP according to the cost sharing

provisions set out below.

- (i) The Purchaser shall notify the Vendor when the Purchaser considers the RAP to have been carried out and shall provide the Vendor with a copy of the final remediation report. The remedial work outlined in the RAP and required by the Environmental Consultant (the "Remedial Work") shall be deemed to be completed only upon receipt by both the Vendor and the Purchaser of a report (the "Report") addressed to the Vendor and the Purchaser from the Environmental Consultant:
 - (i) certifying the completion of the Remedial Work in accordance with the RAP or otherwise to its satisfaction; and,
 - (ii) stating that the property is environmentally decommissioned for the Purchaser's intended use as stated in this agreement.
- (j) Within thirty (30) days of the delivery of the Report the Purchaser or the Environmental Consultant shall submit to the Ministry of the Environment (the "MOE") the Record of Site Condition (the "RSC") signed by the Environmental Consultant. The Purchaser and/or the Environmental Consultant shall follow up with the MOE in an effort to obtain the MOE's acknowledgement of receipt of the RSC.
- (k) Immediately following the MOE's acknowledgement of receipt of the RSC a copy shall be filed with The Regional Municipality of Hamilton-Wentworth for its acknowledgement.
- (l) During the implementation of the RAP the Environmental Consultant shall invoice the Purchaser and the Vendor from time to time for 50% of the actual costs of the Remedial Work that it incurs from time to time on the following terms and conditions:
 - (i) Each invoice from the Environmental Consultant shall be supported by the progress certificate of the Environmental Consultant confirming that the costs of the Remedial Work identified in the invoice have been incurred;
 - (ii) *is total cost commitment towards completing the RAP shall not exceed*
The Vendor shall be responsible for 50% of the actual costs of the Remedial Work up to \$1,165,048.00 plus the applicable goods and services tax ("GST"), and the Vendor shall not be obligated to pay any sum in excess of such amount; *in the aggregate, \$582,524.00.*
 - (iii) The Purchaser shall be responsible for 50% of the actual costs of the Remedial Work up to \$1,165,048.00 plus GST and for 100% of the actual costs over and above such amount;
 - (iv) The Vendor shall pay to the Environmental Consultant, or as otherwise directed by the Environmental Consultant in writing, any amounts invoiced by the Environmental Consultant in accordance with this paragraph (l) within twenty (20) days after receipt of the Purchaser's invoice, with such amount to be forthwith applied by the Environmental Consultant towards the costs of the Remedial Work described in such invoice;
 - (v) Upon the determination of the total cost of the Remedial Work by the Environmental Consultant, if such total cost, exclusive of GST, is less than \$1,165,048.00, then the Purchaser and the Vendor shall each pay 50% of the total cost as hereinbefore specified in this paragraph (l) and the Purchaser shall further pay to the Vendor the sum of money equal to the difference between the Vendor's share of the total cost of the Remedial Work and the sum of \$582,524.00;
 - (vi) The entering into of this cost sharing arrangement is not an admission of liability by the Vendor;
 - (vii) The parties hereto agree that the determination of the Environmental Consultant in all matters involving the provisions of this Schedule "A" or the subject matter thereof shall be final and binding and not subject to review or arbitration; and
 - (viii) For the purposes of this agreement any reference to the "costs of the Remedial Work" shall be deemed to mean the costs of remediation, the cost of the Environmental Consultant and the costs for any testing, evaluation and reporting, all as certified by the Environmental Consultant, and shall specifically exclude any survey, legal and professional fees and application fees, and any backfilling of the lands, which shall be at the sole cost and expense of the Purchaser. *and any costs clearly with the construction of the proposed development*
- (m) The obligations and liabilities of the parties under this Schedule "A" shall be subject to the completion of this agreement.
- (n) Any notice or other communication (hereinafter in this paragraph (k) to be referred to as a "Communication") to be made or given in connection with this agreement shall be made or given in writing and may be made or given by personal delivery or by registered mail or by facsimile transmission addressed to the recipient as follows:

if to the Vendor:

The Corporation of the City of Hamilton
71 Main Street West
2nd Floor
Hamilton, Ontario L8P 4Y5

November 24/25, 1999

Attention: Municipal Clerk

Fax No. (905)

if to the Purchaser:

Laborers' International Union of North America
Central & Eastern Regional Office
44 Hughson Street South
Hamilton, Ontario L8N 2A7
Attention: Mr. Joseph S. Mancinelli

Fax No. (905) 522-9310

or such other address or individual as may be designated by notice by any party to the other. Any Communication made or given by personal delivery shall be conclusively deemed to have been given on the day of actual delivery thereof and, if made or given by registered mail, on the fifth (5th) business day following the deposit thereof in the mail, or if made by facsimile transmission between the hours of 9:00 a.m. and 5:00 p.m. (Hamilton time) on a business day on the date of transmission and otherwise on the first business day following the date of transmission. If the party giving any Communication knows or ought reasonably to know of any difficulties with the postal system which might affect the delivery of mail, any such Communication shall not be mailed but shall be made or given by personal delivery or facsimile transmission.

- (o) Prior to the closing date the Purchaser shall have the right to access the said lands for the purpose of completing the Remedial Work provided that, prior to such access, the Purchaser executes and delivers to the Vendor the Authority to Enter annexed to this agreement as Schedule "B".

REPORT OF THE CITY COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City Committee of the Whole presents its **SEVENTH** Report for 1999 and respectfully recommends:

1. Early Retirement/Restructuring Report Follow-up CM99013 (CM99020)

- (a) That the Early Retirement/Restructuring hiring protocol as set forth in report CM99013 be approved for mandated positions; and,
- (b) That the City Manager report back on a definition of "essential" positions and the proposed hiring protocol.

2. Provincial Offences Act Transfer (CM99021)

That the City Manager be authorized to facilitate the transfer of responsibilities for the Provincial Offences Act from the Ministry of the Attorney General to the Regional Municipality of Hamilton-Wentworth before February 8, 2000.

3. City Hall After Hours Dispatch Service (CS99025)

- (a) That the transfer of the After Hours Dispatch Service from City Hall to Hamilton Hydro, under the responsibility of the Transportation, Operations and Environment Division, postponed by Council, October 4, 1999, be approved; and,
- (b) That the General Manager, Corporate Services be authorized and directed to implement the revised security measures for City Hall, identified with the report, effective to coincide with the transfer of the dispatch service; and,
- (c) That the additional operating cost as a result of implementing the new security procedures, in the amount of \$17,300 be included in the Facilities Management 2000 operating budget; and,
- (d) That the General Manager, Corporate Services be directed to conduct a review of security issues on the second floor of City Hall, and report back.

4. Use of Corporate Passenger Vehicles and Vehicle Take-Home Policy (CS99027)

- (a) That the Fleet Manager(s) be authorized and directed to reduce the existing fleet of passenger and light trucks by 46 as identified in Appendix A of the Report over the next four to six months based on existing practices; and
- (b) That the Finance Division in conjunction with the Fleet Manager(s) reflect in their annual reserve contribution calculation for the 2000 operating budget a reduction of 46 vehicles; and
- (c) That based on the outcome of the alternative service delivery options and restructuring efforts associated with the nine vehicles under consideration for disposition as shown on Appendix B, the Fleet Manager(s) be authorized to dispose of these vehicles; and
- (d) That the policy "Corporate Vehicle Use and Take Home Policy" as attached to Report CS99027, be approved and included in the Corporate Policy Manual for the City/Region. **TABLED.**

5. Hydro Restructuring Revenue

- (a) That \$9,000,000 of revenue as a result of hydro restructuring be incorporated in the 2000 Current Budget; and,
- (b) That the nine million dollars of revenue from hydro restructuring be applied directly to taxes.

6. HECFI resolution respecting the use of Ivor Wynne Stadium

That the resolution of HECFI authorizing the General Manager, Community Services and the General Manager, H.E.C.F.I. to meet and report back to the City's Parks and Recreation Committee on a proposal for HECFI to conduct concerts at Ivor Wynne Stadium, be endorsed.

7. Referral of Projects

That the following projects be referred to the appropriate Committees for consideration:

- (a) Requests from the Tiger-Cat Football Club for improvements at Ivor Wynne Stadium
- (b) Locke Street South streetscaping
- (c) Kenilworth Avenue (between Main and Barton Streets) streetscaping
- (d) Wentworth Street (east of Main) streetscaping

8. City of Hamilton Year 2000 Current Budget

- (a) That the recommended Year 2000 Current Budget in the amount of \$107,418,240, including Recommended Program Changes in the amount of \$1,180,290 (attached as Appendix A), and the restructuring savings as amended, be approved; and,
- (b) That the one-time costs attached as Appendix B in the amount of \$347,000 be approved and funded from the Tax Stabilization Reserve (104055); and,
- (c) That the New/Enhanced programs attached as Appendix C in the net levy amount of \$744,980 not be approved; and,
- (d) That the Year 2000 Tax Levy in the amount of \$107,418,240 be approved.

9. Golf Rate Increases

That proposed golf rate increases be tabled until December 6, 1999.

10. B.I.A. Capital Improvements

That the following recommendation respecting funding to the B.I.A.'s for capital improvements be referred to the Transport and Environment Committee:

That \$15,000 for each Business Improvement Area be included in the Capital Budget for capital improvements.

11. Concrete in front of Copps Coliseum

That staff be directed to investigate the feasibility of installing concrete in front of Copps Coliseum on Bay Street and that a report be presented to the Transport and Environment Committee for consideration.

12. Downtown Initiatives

That the City Initiatives outlined for the Downtown Initiatives projects in the amount of \$2.2 million be approved.

13. Capital Project – Hamilton East Kiwanis Boys and Girls Club

- (a) That an amount of \$300,000 be allocated from the design component for the capital improvements at the Hamilton East Kiwanis Boys and Girls Club; and,
- (b) That funding for this expenditure be charged and funded from the Red Hill Valley Recreation and Open Space Masterplan Project as provided in the Year 2000 Capital Budget.

14. Capital Budget Roads and Sidewalk Reconstruction

That \$3.8 million be provided for in the 2000 Capital Budget for roads and sidewalk reconstruction and that interim funding be provided from internal reserves and replenished with revenues from other external sources.

15. Senior and Bocce Group User Fee Increases

That no action be taken on proposed user fee increases for seniors and bocce groups.

16. 2000 City of Hamilton Capital Budget

- (a) That \$18,699,000 be provided from the Year 2000 City of Hamilton Tax Levy for Capital Program Financing; and,
- (b) That the new Projects in the amount of \$6,131,000 Gross, (\$6,050,000 Net) be approved as outlined on Schedule "A" attached; and,
- (c) That Committee identify specific Downtown Projects to be undertaken as provided for within the Capital Budget in the amount of \$2.2M; and,

- (d) That the projects financed from Reserves/Revenues in the amount of \$22,691,000 Gross (0 Net) be approved as previously outlined on Schedule "A"; and,
- (e) That the funding for the Harbourfront Trail be reduced by the total subsidies and/or other Revenues received from other sources; and,
- (f) That any available funds resulting from (e) above be applied to "Road and Sidewalk Reconstruction" Project.

17. School Crossing Guards

That an amount of \$31,480 for School Crossing Guards be included in the 2000 City Current Budget.

18. Neighbourhood Plan Review Program

That Project 44 – City Planning and Development – Neighbourhood Plan Review Program in the amount of \$100,000 be included in the City Capital Budget.

19. Statutory Holiday Garbage Collection

That an amount of \$74,620 for Statutory Holiday Garbage Collection be reinstated in the City of Hamilton 2000 Current Budget.

20. Garage/Yards Rationalization Study (CS99026)

- (a) That the Garage/Yards Rationalization Study dated November 12, 1999, be approved; and,
- (b) That the 2000 Capital Budget be amended to include \$533,000 Net for costs associated with the Garage/Yard Review; and,
- (c) That the debt charges associated with (b) above be offset from savings resulting from the revised Vehicle requirements and/or other operating savings as outlined in the report.

21. Bill

F-9 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton

RESPECTFULLY SUBMITTED,

MAYOR R. MORROW
CHAIRMAN
CITY COMMITTEE OF THE WHOLE

J. J. Schatz
Municipal Clerk
November 24, 1999

CITY OF HAMILTON

APPENDIX A

2000 CURRENT BUDGET

REVISED DEC. 1/99

RECOMMENDED PROGRAM CHANGES

Confidential Package Yes/No	DEPT / DIV	CAT. FTE'S	DESCRIPTION	A		B		C=A-B
				ANNUALIZED NET LEVY SAVINGS	\$	2000 NET LEVY SAVINGS	\$	FUNDING FROM RESERVES
No	SPHS	FA	Loans Services Reallocation	(30,000)		(30,000)		0
No	Planning	RG	Bldg & Dev - New Fee - Property Standards Complaints	(25,000)		(25,000)		0
No	Clerks	RG	Marriage License Fee increase	(50,000)		(50,000)		0
No	HR	PI	Reduce Lease/Rental space	(16,200)		(16,200)		0
No	Cult & Rec	SL	Reduce operating hours at various recreation facilities	(148,110)		(148,110)		0
No	Cult & Rec	SL	Reduce operating grants to lawnbowling clubs by 5%	(1,500)		(1,500)		0
No	Cult & Rec	RG	Increase user fees at Hamilton Civic Golf Courses	(144,000)		(144,000)		0
No	Cult & Rec	RG	Increase user fees at Recreation Facilities & Arenas	(80,750)		(40,380)		(40,370)
No	Cult & Rec	RG	New user fee - Tennis Clubs	(3,000)		(3,000)		0
No	Cult & Rec	RG	New user fee - Bocce Associations	(3,250)		(3,250)		0
No	PW&T	PI	Restructuring of Maintenance Facilities within TOE	(155,000)		(155,000)		0
No	PW&T	PI	Restructuring Transit to MRTC	(300,000)		(300,000)		0
Yes	Parks	SL	See Confidential Package	(81,000)		(81,000)		0
No	Streets & San	SL	Statutory Holiday Garbage Collection - winter	(74,620)		(74,620)		0
Yes	Traffic	PI	See Confidential Package	(28,060)		(72,500)		44,440
No	Traffic	RG	New leasing fee - residential boulevard parking	(2,300)		(2,300)		0
No	Traffic	RG	Duplicate parking infraction fee	(7,500)		(7,500)		0
No	Cemeteries	RG	Increase fees by 3%	(30,000)		(30,000)		0

TOTAL as submitted

(1,180,290)

(1,184,360)

4,070

Add Back Packages Not Approved:

Item 9. "Increase user fees at Hamilton Civic Golf Courses" in Culture & Recreation

144,000

144,000

0

Item 15. "New user fee - Bocce Associations" in Culture & Recreation

3,250

3,250

0

Item 19. "Statutory Holiday Garbage Collection - winter" in PublicWorks & Traffic

74,620

74,620

0

Revised TOTAL as approved by Committee of the Whole

(958,420)

(962,490)

4,070

Appendix "B" as referred
To in Section 8(b) of the 7th
Report for 1999 of the City
Committee of the Whole

CITY OF HAMILTON
2000 CURRENT BUDGET
ONE - TIME ITEMS

A

DEPT / DIV	FTE'S	DESCRIPTION	2000 COST \$
Corporate	0.00	Millennium Project	347,000
TOTALS	0.00		<u>\$347,000</u>

REVISED DEC. 1/99

CITY OF HAMILTON
2000 CURRENT BUDGET

NEW/ENHANCED PROGRAMS

CITY / REGION	DEPT / DIV	FTE'S	DESCRIPTION	A ANNUALIZED NET LEVY COST	B 2000 NET LEVY COST	C=A-B FUNDING FROM RESERVES
City	Traffic	2.00	REVISED - School Crossing Guards	\$ 31,480	\$ 31,480	\$ 0
City	Streets & San	0.00	Grid Trimming Enhancement - Forestry	150,000	150,000	0
City	Streets & San	0.00	REVISED - Enhanced Service Level - Greater Downtown - Street Sweeping, Litter Pickup	130,000	185,000	(55,000)
City	Streets & San	0.00	Enhanced Service - Downtown Core - Street Flushing, Litter Pickup	150,000	150,000	0
City	Streets & San	0.00	Mountable Curb Replacement	100,000	100,000	0
City	Streets & San	0.00	REVISED - Enhanced Streetscaping - Traffic Island Program	23,000	46,000	(23,000)
City	Streets & San	0.00	Roadway Stump Removal - Forestry	40,500	40,500	0
City	Planning	0.00	B/A Funding - move from capital to current	120,000	120,000	0

2.00 TOTAL as submitted

744,980

822,980

(78,000)

Deduct new/enhanced program packages approved:

(2.00) Item 17. REVISED - School Crossing Guards

(31,480)

(31,480)

0

Revised TOTAL New/Enhanced Packages not approved by Committee of the Whole

713,500

791,500

(78,000)

CITY OF HAMILTON
2000 CAPITAL PROJECTS

November 24/25, 1999

Appendix "D" as referred
To in Section 16 of the 7th
Report for 1999 of the City
Committee of the Whole

BSC

Pg.	Program	Project Description	Rating	2000	2000	2001 - 2009	Multi-Year Commitment	Debt Charges	Incremental Operating
Projects Financed Directly from Dedicated Reserves/Revenues									
12	CS	Provision of Ambulance Stations at Fire Stations	6.17	750	0	0		0	
13	FAC	Fire Station Doors	5.63	115	0	0		0	
14	PWD-S	Owner's Share Of Locals (Residential)	5.38	634	0	0		0	
15	CS	Fire Vehicle/Apparatus Replacement	5.37	326	0	0		0	
16	CP&D	Integrated Management and Tracking System	4.28	300	0	0		0	-50
17	CS	Chedoke & King's Forest Improvements	3.57	3,600	0	0		0	16
18	CS	Multi Pad/Sports Complex	3.34	12,350	0	0		0	347
19	RDS	City Share of Services Through Unsubdivided Lands	3.26	900	0	0		0	
20	PWD-F	Vehicle Replacement Program	3.01	2,416	0	0		0	
21	HECFI	Hamilton Place - Renovations	2.59	400	0	0		0	
22	HECFI	Convention Centre/Copps Coliseum - Renovations	2.59	300	0	0		0	
23	PWD-P	Red Hill Valley - Recreation & Open Space Masterplan	2.43	600	0	0		0	55
*		Roads & Sidewalks Reconstruction (Affordable)	Added	3,800	0	1,835		0	
* This Project was added at the Joint Committee of the Whole			Total	26,491	0	1,835		0	368

Affordable Projects

24	FAC	Asbestos Management Program (see also Region)	7.28	100	100	650		14	
25	PWD-T	Traffic Sign Replacement	7.24	75	75	0		11	
26	PWD-T	Traffic Signal Modernization	7.18	66	66	684		9	
27	CP&D	Official Plan Review	6.74	60	33	517		78	
28	PWD-P	Playstructure Redevelopment	6.05	300	300	2,850		43	12
29	PWD-S	City's Share Of Locals (Residential)	5.64	250	250	2,250		36	
30	FAC	Hamilton City Hall Improvements - Audit	5.46	130	130	0		19	
31	CP&D	Digital Imaging of Zoning Maps	5.45	300	300	0		43	50
32	FAC	Life Safety & Security Program (see also Region)	5.37	55	55	0		8	(8)
33	RDS	Bridge 1092 - Mary St. - 0.05km S. of Stachan St.	5.33	40	40	0		6	
34	CP&D	Zoning By-law Review	5.32	120	66	264		47	
35	PWD-S	Roads & Sidewalks Reconstruction (Affordable)	5.28	1,835	1,835	0		261	
36	PWD-P	Park Development And Redevelopment (Affordable)	5.18	600	600	8,400		85	66
*		Item 18 Neighbourhood Plan Review Program	Added	100	100			14	0
*		Item 20 Garage/Yards Rationalization Study	Added	533	533			76	0
-	CMT	Downtown Initiatives (see list)	N/A	2,200	2,200	5,229		313	0
* These Projects were added at the Joint Committee of the Whole on November 24th, 1999.				Total	6,764	6,683	20,844	1,063	121

Wednesday, November 24, 1999

1:30 o'clock p.m.

Thursday, November 25, 1999

9:30 o'clock a.m.

Council Chambers, Hamilton City Hall

A Joint Meeting of the City Committee of the Whole and the Region Committee of the Whole was held.

There were present:

Regional Chairman T. Cooke
Mayor R. Morrow
Councillor/Alderman A. Horwath
Councillor/Alderman R. Corsini
Councillor T. McMeekin
Councillor D. Braden
Councillor/Alderman B. Morelli
Councillor/Alderman D. Haining
Councillor/Alderman G. Copps
Councillor/Alderman D. Wilson
Councillor R. Powers
Councillor/Alderman M. Kiss
Councillor/Alderman M. Caplan
Councillor A. Sloat
Councillor/Alderman D. O'Sullivan
Councillor/Alderman F. D'Amico
Councillor G. Etherington
Councillor/Alderman B. Kelly
Councillor/Alderman T. Anderson
Councillor/Alderman B. Charters
Councillor/Alderman T. Jackson
Councillor A. Marrone
Councillor/Alderman F. Eisenberger
Councillor/Alderman C. Collins
Councillor R. Wade

Absent with Regrets:

Councillor J. Addison – Town Business
Councillor D. Mitchell – Town Business
Councillor A. Bain – City Business

Also present:

D. Lychak, City Manager
J. Johnston, General Manager, Human Resources
A. Ross, General Manager, Finance
A. Leitch, General Manager, Transportation, Operations and Environment
L. Coveyduck, General Manager, Community Planning and Development

M. Schuster, General Manager, Social and Public Health Services
R. Fair, General Manager, Community Services
J. Bruzzese, General Manager, Corporate Services
J. Schatz, Municipal Clerk

1. Call to Order

The joint meeting was called to Order with Regional Chairman T. Cooke, and Mayor R. Morrow in the Chair.

2. Declarations of Interest

None were declared.

3. General Manager, Finance – Capital Budget Presentation

The General Manager, Finance gave a Year 2000 Current and Capital Budget presentation to the Joint meeting. Copies of the presentation were circulated to those in attendance.

The General Manager, Transportation, Operations and Environment gave a presentation with respect to the restructuring of Hamilton Hydro.

Discussion ensued with respect to a number of issues.

(Wilson/Eisenberger)

That the following recommendation be forwarded to City Council for consideration:

Hydro Restructuring Revenue

- (a) That \$9,000,000 of revenue as a result of hydro restructuring be incorporated in the 2000 current budget; and,
- (b) That the nine million dollars of revenue from hydro restructuring be applied directly to taxes.

Carried

(Wilson/Copps)

That the following recommendation be forwarded to City Council for consideration:

Capital Project – Hamilton East Kiwanis Boys and Girls Club

- (a) That an amount of \$300,000 be allocated for the design component for the capital improvements at the Hamilton East Kiwanis Boys and Girls Club; and,
- (b) That funding for this expenditure be charged and funded from the Red Hill Valley Recreation and Open Space Masterplan Project as provided in the Year 2000 Capital Budget.

Mayor Morrow addressed the Committee with respect to a number of issues he would like to have included in the Capital Budget.

(Kiss/O'Sullivan)

That the following recommendation be forwarded to City Council for approval:

7. Referral of Projects

That the following projects be referred to the appropriate Committees for consideration:

- (a) Requests from the Tiger-Cat Football Club for improvements at Ivor Wynne Stadium
- (b) Locke Street South streetscaping
- (c) Kenilworth Avenue (between Main and Barton Streets) streetscaping
- (d) Wentworth Street (east of Main) streetscaping

(Anderson/Wilson)

That the following recommendation be presented to City Council for consideration:

HECFI resolution respecting the use of Ivor Wynne Stadium

That the resolution of HECFI authorizing the General Manager, Community Services and the General Manager, H.E.C.F.I. to meet and report back to the City's Parks and Recreation Committee on a proposal for HECFI to conduct concerts at Ivor Wynne Stadium, be endorsed.

Note: Alderman Copps wished to be recorded as opposed.

The Committee was in receipt of correspondence from the Police Services Board respecting the 2000 Police Services Budget.

(Sloat/Charters)

That the following recommendation be presented to Regional Council for consideration:

Police Services Board Budget Target

That a .38% increase be approved as the budget target for the Police Services Board.

Provincial Downloading of Programmes

The General Manager, Health and Social Services reported to the Committee on provincial downloading of programmes.

(Wilson/Caplan)

That the following recommendation be presented to Regional Council for consideration:

Impact of recent provincial announcements

That the provision in the Regional budget for impacts of recent provincial announcements in the amount of \$1 million (net) be reduced to \$500,000 (net).

- 4. Information Report – General Manager, Community Planning and Development; General Manager, Transportation, Operations and Environment; General Manager, Community Services – Capital Budget – Initiatives related to the Implementation of the Downtown Secondary Plan (PDC99126)**

The Committee was in receipt of the above noted report dated October 26, 1999.

Consideration discussions ensued with respect to these initiatives for the downtown.

(Wade/Sloat)

That the amount of \$4.4 million funding, equally funded between the City and the Region, for Downtown Initiatives, be approved for inclusion in the 2000 Capital Budget and that the Joint C.O.W. session determine the specific projects to be funded with this amount.

5. General Manager, Finance – Regional Municipality of Hamilton-Wentworth Year 2000 Capital Budget (FIN99084)

The Committee was in receipt of the above noted report dated October 25, 1999.

(Jackson/D'Amico)

That the following recommendation be presented to Regional Council for consideration:

Regional Municipality of Hamilton-Wentworth Year 2000 Capital Budget (FIN99084 Revised)

- (a) That \$35,644,000 be provided from the Year 2000 Region of Hamilton-Wentworth Tax Levy for Capital Program Financing; and
- (b) That \$33,348,000 be provided from the Year 2000 Region of Hamilton-Wentworth Water and Sewer Rates for Capital Program Financing; and
- (c) That the new Projects in the amount of \$31,735,000 (\$26,795,000 Net) be approved as outlined on Schedule "B"; and
- (d) That the Projects financed from Reserves/Revenues in the amount of \$120,000 (0 Net) be approved as outlined on Schedule "B"; and
- (e) That the Rates Funded Projects in the amount of \$22,648,000 (\$21,333,000 Net) be approved as outlined on Schedule "C"; and
- (f) That Committee identify specific Downtown Projects to be undertaken as provided for within the Capital Budget in the amount of \$2,225,000.

Note: Councillor Haining wished to be recorded opposed.

6. General Manager, Finance – City of Hamilton Year 2000 Capital Budget Recommendation (FIN99083 Revised)

The Committee agreed to defer a decision on this matter until later in the meeting.

7. City Manager – Early Retirement/Restructuring Report Follow-Up (CM99020)

The Committee was in receipt of the above noted report dated November 17, 1999.

(Charters/Horwath)

That the following recommendation be presented to City and Regional Councils for consideration:

Early Retirement/Restructuring Report Follow-up CM99013 (CM99020)

- (a) That the Early Retirement/Restructuring hiring protocol as set forth in report CM99013 be approved for mandated positions; and,
- (b) That the City Manager report back on a definition of "essential" positions and the proposed hiring protocol.

8. City Manager – Restructuring Plan for Transportation, Operations and Environment Division (CM99019)(Region only – Previously approved by City Council)

The Committee was in receipt of the above noted report dated November 18, 1999.

The Committee approved the following for presentation to Regional Council:

Restructuring Plan for Transportation, Operations and Environment Division (CM99019)(Agenda Item 8)

That the recommendation in the Report "Reorganization of the Transportation, Operations and Environment Division (RDS99079a), Attachment A, approved by the City of Hamilton Committee of the Whole, be adopted as follows:

"That in order to phase in a fully amalgamated organization structure and to maximize the savings to be realized in the 2000 budget, the interim organization structure for the Public Works Department outlined in Report RDS079a be adopted."

9. General Manager, Finance – Presentation – Current Budget

10. Current Budget Strategy – Discussion

The Committee agreed to defer discussions on these matters until later in the meeting.

11. City Manager – Provincial Offences Act Transfer (CM99021)

The Committee was in receipt of the above noted report dated November 18, 1999.

The Committee approved the following for presentation to City and Regional Councils:

Provincial Offences Act Transfer (CM99021)

That the City Manager be authorized to facilitate the transfer of responsibilities for the Provincial Offences Act from the Ministry of the Attorney General to the Regional Municipality of Hamilton-Wentworth before February 8, 2000.

12. General Manager, Corporate Services – City Hall After Hours Dispatch Service (SC99025)

The Committee was in receipt of the above noted report dated November 22, 1999.

The Committee approved the following for presentation to City and Regional Councils:

City Hall After Hours Dispatch Service (CS99025)

- (a) That the transfer of the After Hours Dispatch Service from City hall to Hamilton Hydro, under the responsibility of the Transportation, Operations and Environment Division, postponed by Council, October 4, 1999, be approved; and,
- (b) That the General Manager, Corporate Services be authorized and directed to implement the revised security measures for City Hall, identified with the report, effective to coincide with the transfer of the dispatch service; and,
- (c) That the additional operating cost as a result of implementing the new security procedures, in the amount of \$17,300 be included in the Facilities Management 2000 operating budget (City); and,
- (d) That the General Manager, Corporate Services be directed to conduct a review of security issues on the second floor of City Hall, and report back.

13. General Manager, Corporate Services – Use of Corporate Passenger Vehicles and Vehicle Take-Home Policy (CS99027)

The Committee was in receipt of the above noted report dated November 23, 1999.

(Corsini/D'Amico)

That the following recommendation be presented to Regional and City Councils for consideration:

Use of Corporate Passenger Vehicles and Vehicle Take-Home Policy (CS99027)

- (a) That the Fleet Manager(s) be authorized and directed to reduce the existing fleet of passenger and light trucks by 46 as identified in Appendix A of the Report over the next four to six months based on existing practices; and,
- (b) That the Finance Division in conjunction with the Fleet Manager(s) reflect in their annual reserve contribution calculation for the 2000 operating budget, a reduction of 46 vehicles; and,
- (c) That based on the outcome of the alternative service delivery options and restructuring efforts associated with the nine vehicles under consideration for disposition as shown on Appendix B, the Fleet Manager(s) be authorized to dispose of these vehicles; and,
- (d) That the policy "Corporate Vehicle Use and Take Home Policy", as attached to Report CS99027, be approved and included in the Corporate Policy Manual for the City/Region.

Note: Councillors Haining and Collins wished to be recorded as opposed.

14. General Manager, Corporate Services – Garage/Yards Rationalization Study (CS99026)

The Committee agreed to defer this matter until later in the meeting.

Recess of meeting

The Committee agreed to recess its meeting until 9:30 o'clock a.m. on Thursday, November 25, 1999.

Reconvened meeting

The Committee reconvened its meeting at 9:30 o'clock a.m. on Thursday, November 25, 1999.

Capital Budget – Downtown Secondary Plan (PDC99126)

The General Manager, Community Planning and Development gave an overview on Downtown and Waterfront Projects. Copies of the presentation were circulated to those in attendance.

Considerable discussion then ensued.

(Haining/Morelli)

That the following recommendation be presented to Regional Council for consideration:

That Project #10, Public Transit Component, Downtown Projects, in the amount of \$600,000 be approved.

LOST

(Anderson/Collins)

That the following recommendation be presented to Regional Council for consideration:

Capital Budget projects

That the following projects be included in the 2000 Capital Budget:

- (a) James Street, King Street East to Strachan Street - \$1,228,000
- (b) John Street North – King Street East to Burlington Street - \$280,000
- (c) Strachan Street – Bay Street North to John Street North - \$256,000
- (d) Stuart Street – Bay Street North to James Street North - \$20,000

and that James and John Streets be converted to two-way streets, north of King Street.

Carried

(Horwath/Collins)

That the following recommendation be presented to Regional Council for consideration:

That the balance of \$441,000 for Downtown Initiatives be allocated for the design component of the McNab Street Transit Terminal and/or the Downtown Bus Loop.

LOST

(Marrone/Braden)

That the following recommendation be presented to Regional Council for consideration:

That the Regional funding portion for the Downtown Initiatives be reduced by an amount of \$441,000.

LOST

(Caplan/D'Amico)

That the following recommendation be presented to Regional Council for consideration:

That the balance remaining from the \$2.2 million for Downtown Initiatives be set aside in the Reserve account and allocation to be identified in January 2000.

LOST

(Eisenberger/Caplan)

That the following recommendation be presented to Regional Council for consideration:

Downtown Initiatives

That the unexpended amount of \$441,000 from the Downtown Initiatives be held in the Reserve Account until such time as the Transportation Study is complete.

Carried

(Horwath/Caplan)

That the following recommendation be presented to City Council for consideration:

Downtown Initiatives

That the City Initiatives outlined for the Downtown Initiatives projects in the amount of \$2.2 million be approved.

Carried

3. General Manager, Corporate Services – Garage/Yard Rationalization Study (CS99026)

(b) Method of Financing

The Committee was in receipt of the above noted reports dated November 22, 1999.

The Committee was also in receipt of material circulated to them respecting this matter.

(Eisenberger/Corsini)

That the following recommendation be presented to Regional Council for consideration:

Garage/Yards Rationalization Study (CS99026)

- (a) That the Garage/Yards Rationalization Study dated November 12, 1999 be approved; and,
- (b) That the 2000 Capital Budget be amended to include \$3,891,000 for costs associated with the Garage/Yard Review; and,
- (c) That the debt charges associated with (b) above be offset from savings resulting from the approval of the Garage/Yard Review.

That the following recommendation be presented to City Council for consideration:

Garage/Yards Rationalization Study (CS99026)

- (a) That the Garage/Yards Rationalization Study dated November 12, 1999, be approved; and,
- (b) That the 2000 Capital Budget be amended to include \$533,000 Net for costs associated with the Garage/Yard Review; and,
- (c) That the debt charges associated with (b) above be offset from savings resulting from the revised Vehicle requirements and/or other operating savings as outlined in the report.

Note: Councillor Copps wished to be recorded as opposed.

5. City of Hamilton – Capital Budget

(Kelly/Horwath)

That the following recommendation be presented to City Council for consideration:

Capital Budget roads and sidewalk reconstruction

That \$3.8 million be provided for in the 2000 Capital Budget for roads and sidewalk reconstruction and that interim funding be provided from internal reserves and replenished with revenues from other external sources.

(D'Amico/Caplan)

That the following recommendation be presented to City Council for consideration:

Neighbourhood Plan Review Program

That Project 44 – City Planning and Development – Neighbourhood Plan Review Program in the amount of \$100,000 be included in the City Capital Budget.

(Caplan/Kiss)

That the following recommendation be presented to City Council for consideration:

That \$15,000 for each B.I.A. be included in the Capital Budget for capital improvements.

(Wilson/Collins)

That the following recommendation be presented to City Council for consideration:

B.I.A. Capital Improvements

That the following recommendation respecting funding to the B.I.A.'s for capital improvements be referred to the Transport and Environment Committee:

That \$15,000 for each Business Improvement Area be included in the Capital Budget for capital improvements.

(Wilson/O'Sullivan)

That the following recommendation be presented to City Council for consideration:

2000 City of Hamilton Capital Budget

- (a) That \$18,699,000 be provided from the Year 2000 City of Hamilton Tax Levy for Capital Program Financing; and,
- (b) That the new Projects in the amount of \$6,764,000 Gross, (\$6,683,000 Net) be approved as outlined on Schedule "A" attached; and,
- (c) That Committee identify specific Downtown Projects to be undertaken as provided for within the Capital Budget in the amount of \$2.2M; and,
- (d) That the projects financed from Reserves/Revenues in the amount of \$22,691,000 Gross (0 Net) be approved as previously outlined on Schedule "A"; and,
- (e) That the funding for the Harbourfront Trail be reduced by the total subsidies and/or other Revenues received from other sources; and,
- (f) That any available funds resulting from (e) above be applied to "Road and Sidewalk Reconstruction" Project.

7. Current Budget Strategy – Discussion (no copy)

The General Manager, Finance gave an overview to the Committee on the Current Budgets for the City and the Region. In this regard, recommendations were circulated to those in attendance.

(Copps/Wilson)

That the following recommendation be presented to City Council for consideration:

School Crossing Guards

That an amount of \$31,480 for School Crossing Guards be included in the 2000 City Current Budget.

(Collins/Eisenberger)

That the following recommendation be presented to City Council for consideration:

Statutory Holiday Garbage Collection

That an amount of \$74,620 for Statutory Holiday Garbage Collection be reinstated in the City of Hamilton 2000 Current Budget.

(Morelli/Jackson)

That the following recommendation be presented to City Council for consideration:

Golf Rate Increases

That proposed golf rate increases be tabled until December 6, 1999.

(Morelli/Jackson)

That the following recommendation be presented to City Council for consideration:

Senior and Bocce Group User Fee Increases

That no action be taken on proposed user fee increases for seniors and bocce groups.

(Kelly/Anderson)

That the following recommendation be presented to City Council for consideration:

Concrete in front of Copps Coliseum

That staff be directed to investigate the feasibility of installing concrete in front of Copps Coliseum on Bay Street and that a report be presented to the Transport and Environment Committee for consideration.

(Wilson/Collins)

That the following recommendation be presented to City Council for consideration:

City of Hamilton Year 2000 Current Budget

- (a) That the recommended Year 2000 Current Budget in the amount of \$107,449,340, including Recommended Program Changes in the amount of \$958,420 (attached as Appendix A), and the restructuring savings as amended, be approved; and,
- (b) That the one-time costs attached as Appendix B in the amount of \$347,000 be approved and funded from the Tax Stabilization Reserve (104055); and,
- (c) That the New/Enhanced programs attached as Appendix C in the net levy amount of \$713,500 not be approved; and,
- (d) That the Year 2000 Tax Levy in the amount of \$107,449,340 be approved.

With respect to the Committee's approved of the recommended program change in the amount of \$148,110 to reduce operating hours at various recreation facilities, it was agreed that the General Manager, Community Services would report back to the Parks and Recreation Committee on the impact of this reduction.

(Collins/Jackson)

That the following recommendation be presented to Regional Council for consideration:

Winter Service Standards

That an amount of \$800,000 be included in the 2000 Current Budget in order to maintain winter service standards at the 1998/1999 levels.

Recorded Vote:

Yeas: Horwath, Morelli, Copps, Wilson, Kiss, O'Sullivan, D'Amico, Kelly, Anderson, Jackson, Eisenberger, Collins (12)

Nays: Powers, Caplan, Sloat, Etherington, Charters (5)

Carried

(Eisenberger/D'Amico)

That the following recommendation be presented to Regional Council for consideration:

Action 2020

That a one-time amount of \$89,500 for Action 2020 be included in the 2000 Current Budget.

Recorded Vote:

Yeas: McMeekin, Powers, Etherington, Kiss, Caplan, Morelli, Jackson, D'Amico, Eisenberger, Horwath, Morrow, Wilson, O'Sullivan (13)

Nays: Charters, Sloat, Copps, Kelly, Collins, Anderson (6)

Carried

(Jackson/D'Amico)

That the following recommendation be presented to Regional Council for consideration:

2000 Regional of Hamilton-Wentworth Current Budget

- (a) That the recommended Year 2000 Current Budget in the amount of \$292,826,050, included Recommended Program Changes in the amount of \$5,419,020 (attached as Appendix A), and restructuring savings as amended, be approved; and,

- (b) That the one-time costs attached as Appendix B in the amount of \$972,310 be approved and funded from the Tax Stabilization Reserve (110046); and,
- (c) That the New/Enhanced programs attached as Appendix C in the net levy amount of \$468,000 not be approved; and,
- (d) That the Year 2000 General and Special Levies in the amount of \$293,326,050 be approved.

Note: Councillors Powers and Etherington wished to be recorded as opposed to subsections (b), (c) and (d)

9. Adjournment

There being no further business, the Joint Meeting session of the City Committee of the Whole and the Region Committee adjourned. City and Regional Councils met immediately following this session to give consideration to the Reports of their respective Committee of the Wholes, and a special report of the City Finance and Administration Committee

Taken as read and approved,

Regional Chairman T. Cooke
Chairman
Region Committee of the Whole

Mayor R. Morrow
Chairman
City Committee of the Whole

J. J. Schatz
Municipal Clerk
November 24, 25, 1999

November 30, 1999

URBAN MUNICIPAL

Minutes of Hamilton City Council
Tuesday, November 30, 1999
7:30 o'clock p.m.
Council Chamber, City Hall

DEC 24 1999

GOVERNMENT

The Council met:

There were present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini,
B. Morelli, D. Haining, D. Wilson, C. Copps,
C. Collins, F. Eisenberger, T. Jackson, B. Charters,
T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan.

Mayor R. M. Morrow called the meeting to order.

The National Anthem was played.

Reverend Gaye Norrie, People's Church, led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow acknowledged Lazlo Gauder, President of the Optimist Club of Hamilton who presented the Mayor with a book documenting the Optimist Club – 75th Anniversary.

Mayor R. M. Morrow acknowledged a delegation from Essen, Germany, who presented the Mayor with various gifts.

Mayor R. Morrow presented a Certificate of Recognition to Bill Bain in recognition of his 30 years of service with the Hamilton East Community Services Corporation

Mayor R. M. Morrow presented a Certificate of Recognition to Bernice Price who is the Hamilton Senior Citizen of the Year.

Mayor R. M. Morrow presented a Certificate of Recognition to Blair McKeil, McKeil Marine Ltd. in recognition of his donations to the Cities special events.
Mayor Morrow also presented Certificates of Recognition to Shelley Merlo-Orzel and Peter Booker for their work on special events.

Mayor R. M. Morrow acknowledged Fernando Liorti and Yolanda Liorti who have recently restored the former Hamilton Spectator Building into a restaurant.

Mayor R. M. Morrow acknowledged Mssrs. Slee who brought memorabilia relating to the Hamilton Alerts (Hamilton Tiger-Cats) from the Grey Cup in 1912.

ADOPTION OF MINUTES

The minutes of the meeting held November 9, 1999 were adopted as circulated.

CORRESPONDENCE

1. Application dated November 19, 1999 from Chedoke Health Corporation c/o Lazier, Hickey, Langs, O'Neal, 25 Main Street West, Hamilton, for a change in designation on Schedules "A" and "J-1" from Residential, Open Space, and Major Institutional to Residential and Open Space; and Zoning Application 99-36 for a change in zoning for lands south of Chedmac Drive and east of Magnolia Drive on the following basis: Block 1 from "C" (Urban Protected Residential, etc.) District to "A" (Conservation, Open Space, Park and Recreation) District, Block 2 from "A" (Conservation, Open Space, Park & Recreation) District to "C" (Urban Protected Residential, etc.) District, Block 3 from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot single-Family Dwellings) District, Block 4 from "C" (Urban Protected Residential, etc.) District to "RT-30" (Street-Townhouse) District, Block 5 from "RT-20" - 'H' (Townhouse-Maisonette - Holding) District, modified to "RT-30" (Street-Townhouse) District, Block 6 from "RT-20" - 'H' (Townhouse-Maisonette - Holding) District, modified to "R-4" (Small Lot Single-Family Dwelling) District, Block 7 from "RT-20" 'H' (Townhouse-Maisonette - Holding) District, modified to "C" (Urban Protected Residential, etc.) District, Block 8 from "DE-3" (Multiple Dwellings) District, modified to "C" (Urban Protected Residential, etc.) District, and Subdivision Application 99-04 for approval of a draft plan of Subdivision "Scenic Park South" (Regional File No. 25T-99009) to permit the development of the subject lands for 117 single-detached dwellings, 46 street townhouse units, 115 block townhouse units, 1 block for park purposes and to establish 5 streets in Hamilton.

Received

2. Letter dated November 30, 1999 from Dale Brown, President, Kirkendall Neighbourhood Association respecting Environment Assessment with regards to the expansion of the Canadian Pacific Railway operations in the area of Highway 403. (Referred to in Notice of Motion within this Agenda)

Received.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee, the Report of His Worship Mayor R. M. Morrow, the Nominating Committee, and the Hamilton Scourge Steering Committee, be considered in Committee of the Whole with Alderman Kelly in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

PARKS AND RECREATION COMMITTEE – ELEVENTH REPORT

Section 1 Re: Public-Private Partnership – Multi-Pad/Arena and Sports Complex – Selection of Preferred Proponent

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Copps. -1.

CARRIED.

Section 2 Re: Awarding of Contract – Coca-Cola Ltd.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Mayor Morrow. -1.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – TWENTY THIRD REPORT

Section 14 (d) Bill C-73

It was moved by Alderman D'Amico and seconded by Alderman Eisenberger that Section 14 (d) of the Twenty-Third Report of the Planning and Development Committee be deleted and replaced with the following sections as attached hereto:

- 14 (d) C-73A A By-law to Amend Zoning By-law No. 6593 and to Repeal Zoning By-law no. 98-281 Respecting Lands Located East (Lake Side) of Beach Boulevard, in the Beach Neighbourhood. **CARRIED.**

Section 14 (e) Bill C-74

It was moved by Alderman D'Amico and seconded by Alderman Eisenberger that Section 14 (e) of the Twenty-Third Report of the Planning and Development Committee be deleted and replaced with the following sections as attached hereto:

- 14 (e) C-74A A By-law to Amend Zoning By-law No. 6593 and to Repeal Zoning By-law no. 98-281 Respecting Lands Located West (Bay Side) of Beach Boulevard, in the Beach Neighbourhood. **CARRIED.**

PLANNING AND DEVELOPMENT COMMITTEE – TWENTY FOURTH REPORT

FINANCE AND ADMINISTRATION COMMITTEE - SEVENTEENTH REPORT

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Section 3 of the Seventeenth Report for 1999 of the Finance and Administration Committee respecting a Policy on private sector solicitation of employees be amended to add the following as sub-section (b)

3. (b) That staff prepare and submit a report for Committee and Council's consideration addressing the details/options for community groups in accessing business from our employees. **CARRIED.**

* * * * *

Section 4 Re: Nuclear Weapons

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -15.

NAYS: Alderman D'Amico. -1. **CARRIED.**

* * * * *

Rule No. 9 Re: L.L.B.O. store openings on Boxing Day

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule No. 9 of the City of Hamilton Procedural By-law be invoked for this meeting in order to introduce an item respecting L.L.B.O. store openings on Boxing Day.

Conflict of Interest – L.L.B.O. – Alderman D. Haining

Alderman D. Haining declared personal interest in, took no part in the debate and refrained from voting on this matter as he is an employee of The Beer Store.

* * * * *

CARRIED.

Section 9 Re: L.L.B.O. store openings on Boxing Day

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that the following be added as Section 9 of the Seventeenth Report for 1999 of the Finance and Administration Committee:

9. LLBO Store Openings on Boxing Day.

That the LLBO be advised that the City of Hamilton has no objection to wine and beer store openings on Boxing Day.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Corsini, Morelli, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -12.

NAYS: Aldermen Caplan, Copps, Wilson, D'Amico. -4. **CARRIED.**

CITY OF HAMILTON LICENSING COMMITTEE - SIXTH REPORT

HIS WORSHIP MAYOR R. M. MORROW – FOURTH REPORT

Rule No. 9 Re: Secretarial Services – Hamilton Status of Women Comm.

It was moved by Mayor Morrow and seconded by Alderman Kiss that Rule 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the provision of secretarial assistance to the Hamilton Status of Women Committee. **CARRIED.**

* * * * *

It was moved by Mayor Morrow and seconded by Alderman Kiss that the following be added as Section 2 of the FOURTH Report of His Worship Mayor Robert M. Morrow for 1999:

2. Secretarial Assistance to the Hamilton Status of Women Committee

That secretarial assistance, satisfactory to the Municipal Clerk, be made available to the Hamilton Status of Women Committee, including meeting availability.

* * * * *

It was moved by Alderman Wilson and seconded by Alderman Charters that the motion of Mayor Morrow respecting secretarial assistance to the Hamilton Status of Women Committee be referred back to the Finance and Administration Committee.

Recorded vote.

YEAS: Aldermen Caplan, Haining, Copps, Wilson, Charters. -5.

NAYS: Mayor Morrow, Aldermen Kiss, Horwath, Corsini, Eisenberger, Collins, Jackson, Kelly, D'Amico, O'Sullivan. -10. **LOST.**

* * * * *

It was moved by Alderman Charters and seconded by Alderman Wilson that the motion of Mayor Morrow respecting secretarial assistance to the Hamilton Status of Women Committee be amended by adding the following at the end of the recommendation; "at no additional cost". **CARRIED.**

2. Secretarial Assistance to the Hamilton Status of Women Committee

That secretarial assistance, satisfactory to the Municipal Clerk, be made available to the Hamilton Status of Women Committee, including meeting availability at no additional cost. **CARRIED.**

NOMINATING COMMITTEE - FIFTH REPORT

HAMILTON SCOURGE STEERING COMMITTEE - FIRST REPORT

ACTING MAYOR FOR THE MONTH OF DECEMBER, 1999

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman C. Collins be appointed Acting Mayor for the month of December, 1999. **CARRIED.**

* * * * *

NOTICE OF MOTION

It was moved by Alderman Kiss and seconded by Alderman Haining:

That the Council of the City of Hamilton request the Provincial and Federal Ministries of the Environment to conduct full Environmental Assessments and also government enquiries under all Provincial and Federal Legislation with respect to the proposed expansion of the Canadian Pacific Railway (St. Lawrence Hudson Railway) operations in the area of Highway 403, Longwood Road South and Aberdeen Avenue in order to ensure safety from potential negative impacts of any kind to persons or properties or any adverse environmental impacts of any kind that this operation may have on communities and neighbourhoods in the City of Hamilton.

It was moved by Alderman Jackson and seconded by Alderman Caplan that the Notice of Motion be referred to the Transport and Environment Committee.

CARRIED.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee, the Report of His Worship Mayor R. M. Morrow, the Nominating Committee, the Hamilton Scourge Steering Committee, and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

It was moved by Alderman Charters and seconded by Alderman Anderson that City Council move in-camera to hear an update on the Hamilton Harbour Commission issues.

CARRIED.

It was moved by Alderman Charters and seconded by Alderman Anderson that City Council reconvene in open session.

CARRIED.

November 30, 1999

City Council then adjourned at 10:45 o'clock p.m.

*** * * * ***

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz,
Municipal Clerk
November 30, 1999**

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **ELEVENTH** Report for 1999 and respectfully recommends:

1. Public-Private Partnership – Multi-Pad/Arena and Sports Complex – Selection of Preferred Proponent (CSC99046)

- a) That the General Manager of Community Services, the General Manager of Finance, the Director of Management Studies, Corporate Counsel, with other staff resources as required, be authorized to enter into Stage 3 of the Request for Proposal process - Negotiations with JBK DEVELOPMENTS/ARENA CORP., said firm being the preferred proponent selected from the Stage 2 – Evaluation of Detailed Responses to the Request for Proposals for a public-private partnership to construct and operate a multi-pad arena and sports complex; and,
- b) That, if in the event negotiations with the preferred proponent do not resolve outstanding issues relative to the proposal, that staff report back to the Parks and Recreation Committee before proceeding further.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: Alderman Copps. -1.

CARRIED.

2. Awarding of Contract (Request for Proposal REF.C3-1199) to Coca-Cola Ltd. – Food Services/Cold Beverage Distribution and Full Service Vending (CSC99040)

- a) That approval be granted to enter into a contract with Coca-Cola Limited and Mr. Vending Inc., the successful bidder to the Request for Proposal call for the provision of cold beverage distribution and full service snack vending within the Community Services Division and designated City of Hamilton Parks, for a term of five (5) years

to commence on December 1, 1999 and terminating on November 30, 2004; and,

- b) That snack vending in the concession based facilities effective February 1, 2001 be approved for inclusion in this agreement, with the completion of the incumbent operator agreement; and,
- c) That the Mayor and Municipal Clerk be authorized to execute all necessary agreements in a form satisfactory to the Corporate Counsel.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Mayor Morrow. -1.

CARRIED.

3. Tiger-Cat Appreciation Parade and Rally – Approval for Fireworks Display (CSC99054)

That approval be granted to the General Manager, Community Services Division, to contract Hands Fireworks Inc. to hold a ground level fireworks display on December 1, 1999 at Commonwealth Square as part of the Hamilton Tiger-Cat Appreciation Parade and Rally, as required by Section 17 (1) and Section 26 of the Fireworks By-law 90-108 and Section 5 of the Parks By-law 95-126 as amended.

Respectfully submitted,

**ALDERMAN B. MORELLI, CHAIRMAN
PARKS AND RECREATION
COMMITTEE**

**Charlene Touzel, Secretary
November 30, 1999**

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TWENTY-THIRD** Report for 1999 and respectfully recommends:

1. SA-99-03 (Chapple East Estates) & ZA-99-34, for lands located south of Rymal Road East and east of the Ontario Hydro corridor (PDC99125)

A.(a) That approval be given to Subdivision Application 99-03, (Regional File No. 25T-99008), Fenestra Investments Limited (c/o L. Szpirglas), owner to establish a draft plan of subdivision "Chappel East Estates", on lands located south of Rymal Road East and east of the Ontario Hydro corridor in the Chappel East Neighbourhood, as shown on the attached map marked as Appendix "A", subject to the following conditions:

- (i) That this approval apply to the plan prepared by A.J. Clarke and Associates Ltd. and certified by B.J. Clarke, O.L.S., dated August 18, 1999, showing 45 lots for single detached dwellings, 1 block for road widening purposes, 4 blocks being 0.30 m reserves, and three streets, attached as Appendix "B";
- (ii) That the owner prepare and submit, to the satisfaction of the Director, Land Development Department, Community Planning and Development Division, a municipal street numbering plan;
- (iii) That the owner shall erect a sign in accordance with Section XI of the Subdivision Agreement prior to the issuance of a final release by the City of Hamilton;
- (iv) That the final plan conform with the Zoning By-law approved under the Planning Act;
- (v) That the owner provide the City of Hamilton with a certified list showing the net lot area and width of each lot and block and the gross area of the subdivision in the final plan;

- (vi) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority;
- (vii) That the Owner agree to include the following warning clause to be registered on title of Lots 1 – 6, inclusive, and Lot 45 within the plan of subdivision, and the owner shall ensure that the warning clause is included in all offers of purchase and sale and reservation agreements to the satisfaction of the Director, Land Development Department, Community Planning and Development Division and the Corporate Counsel:

"Purchasers are advised that noise levels originating from Rymal Road East may become of concern, occasionally interfering with some activities of the occupant."

- (viii) That the applicant/owner dedicate Block 46 on the submitted draft plan, which is shown as a 3.05 metre road widening to the Region of Hamilton-Wentworth by Certificate on the Final Plan for road widening purposes;
- (ix) That the 0.30 metre reserves, shown as Blocks 47 and 48 on the submitted draft plan be established and dedicated to the Region of Hamilton-Wentworth by deed;
- (x) That the 0.30 metre reserves, shown as Blocks 49 and 50 on the submitted draft plan be established and dedicated to the City of Hamilton by deed;
- (xi) That the owner satisfy all requirements, financial and otherwise of the City of Hamilton and the Region of Hamilton-Wentworth prior to the development of any portion of these lands to the satisfaction of the General Manager, Community Planning and Development Division;
- (xi) That the owner enter into a Subdivision Agreement with the City of Hamilton and the Regional Municipality of Hamilton-Wentworth to the satisfaction of the General Manager, Community Planning and Development Division;
- (xii) That no portion of these lands is allowed to develop before the construction of storm and sanitary sewers to service these lands directly;
- (xiii) That the owner dedicate 2.0 metre x 2.0 metre daylight triangles at all "L" shaped streets;

- (xiv) That the "eye-brow" transitions along the street line adjacent to Lots 31, 35 and 36 be revised to 9.0 metre radius to the satisfaction of the Manager, Development Engineering Section, Community Planning and Development Division;
- (xv) That prior to final registration of the plan of subdivision, or any construction or grading on the subject property, the proponent shall submit the following plans or reports to the General Manager, Community Planning and Development Division:
 - 1. plans that show existing and proposed site grades and drainage;
 - 2. detailed stormwater management plans which show how stormwater will be conveyed from the site and conducted to a receiving waterbody. Such plans shall address water quality issues in accordance with recognized best management practices (BMPs) and the "Stormwater Management Practices Planning and Design Manual", MOEE, June 1994; and,
 - 3. erosion and siltation control plans, which show how exposed soils, sediments and eroded materials, will be retained on site during all phases of construction. Plans should include maintenance requirements for all employed devices;
- (xvi) That the owner shall agree in the executed subdivision agreement with the City, in wording acceptable to the General Manager, Community Planning and Development Division:
 - 1. to carry out or cause to be carried out the works identified in the grading plans, stormwater management plans and erosion and siltation control plans, to the satisfaction of the General Manager, Community Planning and Development Division; and,
 - 2. to maintain all stormwater management and erosion and sedimentation control structures in good repair and operating order during the construction period, in a manner satisfactory to the General Manager, Community Planning and Development Division;

- (xvii) That the owner dedicate sufficient lands to the City of Hamilton for Park purposes under the first phase of development with suitable access by Public Highway to the satisfaction of the General Manager, Community Planning and Development Division;
- (xviii) That the owner dedicate sufficient lands to the City for the installation of a temporary turning circle at the south limit of Street "C" and that provisions be made under the City subdivision agreement for security to provide for the removal of the temporary turning circle when required;
- (xix) That the owner provide confirmation from Ontario Hydro that the location of the extension of Street B westerly through their Corridor is to their satisfaction and that the clearances from the overhead wires, Hydro Towers, Hydro Poles and lines and the proposed road are to their satisfaction. The location of all Hydro Towers, Poles and Pole Lines must be clearly shown on the engineering drawings submitted for approval to the satisfaction of the Manager, Development Engineering Section, Land Development Department;
- (xx) That the owner agree in writing that access to Lots 1 and 45 are to be located outside of the daylight triangle at the intersection of Street B and Rymal Road to the satisfaction of the Manager, Development Engineering Section, Community Planning and Development Division;
- (xxi) That any phasing of this development and any temporary works required to accommodate the same, be to the satisfaction of the Manager, Development Engineering Section, Community Planning and Development Division;
- (xxii) That the applicant/owner agree in writing to satisfy all requirements, financial and otherwise, of the Region of Hamilton-Wentworth and the City of Hamilton.

- (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (SAC-99-03/25T-99008), "Chappel East Estates", proposed draft plan of subdivision and that the City execute the agreement when the said conditions have been met.
 - (c) That the Municipal City Clerk be directed to advise the Director, Land Development Department, Community Planning and Development Division of Council's decision.
- B. That approval be given to amended Zoning Application ZAC-99-34, Fenestra Investments Limited (c/o L. Szpirglas), owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District (Block "1") and "C" (Urban Protected Residential, etc.) District, modified (Block 2) to permit the use of the subject lands for single detached residential uses, for lands located south of Rymal Road East and east of the Ontario Hydro corridor in the Chappel East Neighbourhood, as shown on the attached map marked as APPENDIX "A", on the following basis:
- (a) That Blocks "1" and "2" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
 - (b) That the "C" (Urban Protected Residential, etc.) District regulations, contained in Section 9. of Zoning By-law No. 6593, applicable to Block "2" be modified to include the following variance as a special requirement:
 - 1. That notwithstanding Section 9.(4) of Zoning By-law No. 6593, every lot shall have a width of at least 11.4 metres, and an area of at least 340.0 square metres within the district;
 - (c) That the By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-27E, be enacted by City Council;
 - (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S -1434, and that the subject lands on Zoning District Map E-27E be notated as S -1434;
 - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,

- (f) That upon finalization of the implementing Zoning By-law, the approved Chappel East Neighbourhood Plan be amended to revise the street plan as per the proposed plan of subdivision "Chappel East Estates" and to delete the 12 m (40 ft) water and sewer easement and walkway.

2. 304 Kenilworth Avenue North – Demolition (PDC99113)

- (a) That subject to the requirements below, the Building Commissioner be authorized to deny an application for a demolition permit for the building located at 304 Kenilworth Avenue North in accordance with Demolition Control By-law 74-290 pursuant to the demolition control provisions of the Planning Act (sec.33); and,
- (b) That the Building Commissioner be authorized to issue a demolition permit for the building located at 304 Kenilworth Avenue North where the applicant has applied for and received the required site plan approval from the Community Planning & Development Division and the site plan agreement has been registered on title.

3. 308 Kenilworth Avenue North – Demolition (PDC99114)

- (a) That subject to the requirements below, the Building Commissioner be authorized to deny an application for a demolition permit for the building located at 308 Kenilworth Avenue North in accordance with Demolition Control By-law 74-290 pursuant to the demolition control provisions of the Planning Act (sec.33); and,
- (b) That the Building Commissioner be authorized to issue a demolition permit for the building located at 308 Kenilworth Avenue North where the applicant has applied for and received the required site plan approval from the Community Planning & Development Division and the site plan agreement has been registered on title.

4. International Village BIA Budget and Schedule of Payment for 2000 (PWT99079)

- (a) That the 2000 operating budget for the International Village B.I.A. attached hereto as Appendix 'C' be approved in the amount of \$68,960;

- (b) That the General Manager of Finance, be hereby authorized and directed to prepare the requisite by-law pursuant to Section 220, The Municipal Act, R.S.O. 1990, to levy the 2000 budget as referenced in (a) above; and,
- (c) That the following schedule of payments for 2000 be approved:

January	\$34,480
July	\$34,480

NOTE: 1999 assessment appeals may be deducted from the 2000 levy payments.

5. 831 West 5th St – demolition (PDC99132)

That the Building Commissioner be authorized to issue a demolition permit for 831 West 5th Street in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

6. Request for a further six (6) month extension for the approval of Site Plan Control Application DA-95-21 for an addition to the existing St. Peter's Hospital, 88 Maplewood Avenue (PDC99131)

That approval be given to the request by St. Peter's Hospital, owner, at 88 Maplewood Avenue, as shown on the attached map marked as Appendix "D", for a further extension to the approval of Site Plan Control Application DA-95-21 to May 30, 2000, and that at the end of this period if a Building Permit has not been issued, the proposed development must be subject to a new Site Plan Control Application.

7. Proposed Draft Plan of Condominium "Juliana Court", 1385 Upper Wentworth Street (CDM-99-03) (PDC99122)

- (a) That approval be given to Condominium Application CDM-99-03 (Regional File No. 25CDM-99013) "Juliana Court", ADJ Ventures Inc. (c/o D. Valentini), owner, to establish a draft plan of condominium for 20 townhouse units, known municipally as 1385 Upper Wentworth Street, as shown on the attached map marked as APPENDIX "E", subject to the following conditions:
 - (i) That this approval apply to the plan prepared by A.J. Clarke and Associates Ltd. and certified by B.J. Clarke, O.L.S., dated October 1, 1999, showing 20 townhouse units;

- (ii) That the final plan of condominium comply, in all respects, with the approved Site Plan (DA-99-39);
- (iii) That the applicant satisfy all conditions of site plan approval applicable to the subject lands to the satisfaction of the City of Hamilton, prior to registration of the Final Plan of Condominium;
- (iv) That the Final Plan of Condominium comply with all of the applicable provisions of the City of Hamilton Zoning By-law No. 6593;
- (vi) That the following warning clause be registered on title for all units within the development and included in every agreement of purchase and sale, to the satisfaction of the Director, Land Development Department and Corporate Counsel:

"Purchasers are advised that on-site garbage pick up for each unit by the City of Hamilton will not be available for this site."

- (vii) That the following warning clause be registered on title and included in every agreement of purchase and sale for Units 1 to 3, and Units 16 to 20 to the satisfaction of the Director, Land Development Department and Corporate Counsel:

"Purchasers are advised that despite the inclusion of noise control measures within the development area and within the individual building units, noise levels may become of concern, occasionally interfering with some activities of the occupants."

- (viii) That the Condominium Corporation be required to enter into and register on title the Agreement of the Condominium Corporation to assume and be bound by the Site Plan Agreement; and,
 - (ix) That the owner satisfy all conditions, financial or otherwise, of the City of Hamilton.
- (b) That the Municipal Clerk be directed to advise the Director, Land Development Department, Community Planning and Development Division of Council's decision.

8. Core Heritage 2000 Program, 44 Hughson St. N., 43-45 King William St. (HSB99006)

That a grant increase, for façade improvements, under the Core Heritage 2000 Program, in the amount of one thousand and ninety seven dollars (\$1,097) to Inmar Co. Ltd., registered owner of 44 Hughson Street North and 43-45 King William Street, be approved.

9. Core Heritage 2000 Program, 164½ King Street East (HSB99007)

That a grant increase, for façade improvements, under the Core Heritage 2000 Program, in the amount of five hundred and seventy-two dollars (\$572) to Paul Roth, registered owner of 164½ King Street East, be approved.

10. "Ballinahanch", 316 James Street South- Designated Property Plaque (PDC99136)

That a Designated Property Plaque be approved for the property at 316 James Street South, known as "Ballinahinch" (designated under the Ontario Heritage Act in 1985).

11. Hamilton Psychiatric Hospital – Potential Sale (PDC99138)

In accordance with the provisions of the provincial agreement between the Ontario Realty Corporation and the Ministry of Citizenship, Culture and Recreation, that a letter be sent from the Mayor to the Chair of Management Board of Cabinet to request that a heritage assessment of the whole site, as previously recommended by Ministry of Citizenship, Culture and Recreation (MCZCR) staff, be undertaken as soon as possible and before the property is declared surplus and offered for sale.

12. Master Drainage Plan for the Beach Strip – Results of the Final Report (Third report)

- A. That approval be given to City Initiative 98-D, for a modification and a further modification in zoning to Zoning By-law No. 6593, for the properties east (lake side) and west (bay side) of Beach Boulevard, in the Beach Neighbourhood, to modify the side and rear yard setbacks for new buildings and accessory buildings or structures, in the "C" (Urban Protected Residential) District, the "G" (Neighbourhood Shopping Centre) District, and the "H" (Community

Shopping and Commercial, etc.) District, as shown on the attached maps marked as APPENDICES "F", "G", "H", and "I" on the following basis:

- (a) That By-law No. 98-281 which amended Zoning By-law No. 6953 and By-law No. 98-282 which established site plan control for the west (bay) side of Beach Boulevard, be repealed in their entirety.
- (b) That the "C" (Urban Protected Residential) District, the "G" (Neighbourhood Shopping Centre) District, and the "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Sections 9, 13 and 14 respectively, of Zoning By-law No. 6593, applicable to the lands east (lake side) and west (bay side) of Beach Boulevard, as shown on the attached maps marked as APPENDICES "F", "G", and "H", be modified to include the following variance as a special requirement:
 - (i) That all buildings and structures, including accessory buildings, shall provide a side yard along each side lot line of a width of at least 1.7 m;
 - (ii) Notwithstanding clause i), a side yard may be reduced to a width of at least 1.5m, only where a common swale between the adjoining properties has been approved under a Lot Grading Agreement or approved under a Site Plan Control Agreement;
- (c) That the "C" (Urban Protected Residential) District, the "G" (Neighbourhood Shopping Centre) District, and the "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Sections 9, 13 and 14 respectively, of Zoning By-law No. 6593, applicable to the lands west (bay side) of Beach Boulevard, as shown on the attached maps marked as APPENDICES "F", "G", and "H", be modified to include the following variances as special requirements:
 - (i) that the minimum ground floor elevation of any building or any building addition shall be 76.0 m above mean sea level, as defined by the Geodetic Survey Datum except for any building addition less than 14 m² in area and any accessory building or structure; and,

- (ii) that no basement or cellar shall be permitted for any building; and,
 - (iii) that any addition, less than 14 m² in area, shall have a minimum floor elevation at or above the existing ground floor elevation of the building; and,
 - (iv) that prior to the issuance of a building permit for every new building, a Lot Grading Agreement with the City of Hamilton shall be entered into and registered on title to the satisfaction of the Building Department's Director, except for developments that require Site Plan Approval under By-law 79-275, as amended.
 - (d) That the "C" (Urban Protected Residential) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands shown as Blocks "1", "2", "3" and "4" on APPENDIX "I", be modified to include the following variance as a special requirement:
 - (i) No building or structure, except fences shall be located within 4.5 metres of the rear lot line:
 - 1. every fence, excluding the supporting posts must be at least 0.075m from the ground to the bottom of the fence, so as not to obstruct the flow of water.
 - (e) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedules S-1435 and 1436, and that the subject lands on Zoning District Maps E-80b, E-80c, E-80d, E-80e, E-80f and E-80g be notated S-1435 and 1436;
 - (f) That the Corporate Counsel be authorized and directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-80b, E-80c, E-80d, E-80e, E-80f and E-80g for presentation to City Council;
 - (g) That the proposed modifications in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
- B. That Site Plan Control By-law 79-275, as amended by By-law 87-223, be further amended by adding the lands located on the east (lake side) and west (bay side) sides of Beach Boulevard, as shown on the attached maps marked as APPENDICES "F", "G" and "H".

13. Extension of Interim Control Bylaw for one year – Windermere Basin

That the City Council pass a By-law to extend the applicability period of Interim Control By-law 98-313 for an additional year.

14. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) C-70 A By-law to Amend Zoning By-law No. 6593 Respecting lands located at The Rear of 1515 and 1519 Upper Sherman Avenue.
- (b) C-71 A By-law to Designate Land Located at Municipal No. 777 York Boulevard as Property of Historical and Architectural Value and Interest.
- (c) C-72 A By-law to Extend the Period of Interim Control Respecting lands Located West of Eastport Drive, South of Pier 25, Known as Windermere Basin.

(d) C-73 A By-law to Amend Zoning By-law No. 6593 and to Repeal Zoning By-law No. 98-281 Respecting Lands Located East (Lake Side) of Beach Boulevard, in the Beach Neighbourhood.

REPLACED

(e) C-74 A By-law to Amend Zoning By-law No. 6593 and to Repeal Zoning By-law No. 98-281 Respecting Lands Located West (Bay Side) of Beach Boulevard, in the Beach Neighbourhood.

REPLACED

- (f) C-75 A By-law to Establish Site Plan Control and to Repeal By-law No. 98-282 Respecting Lands Located East (Lake Side) and West (Bay Side) of Beach Boulevard, in the Beach Neighbourhood.

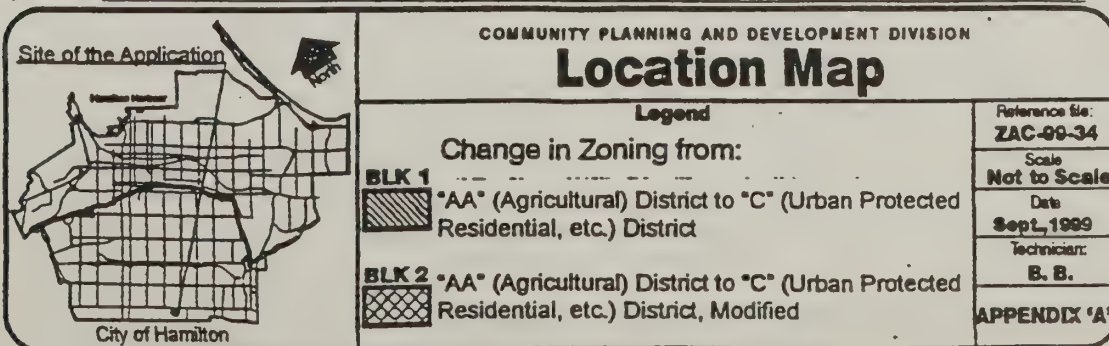
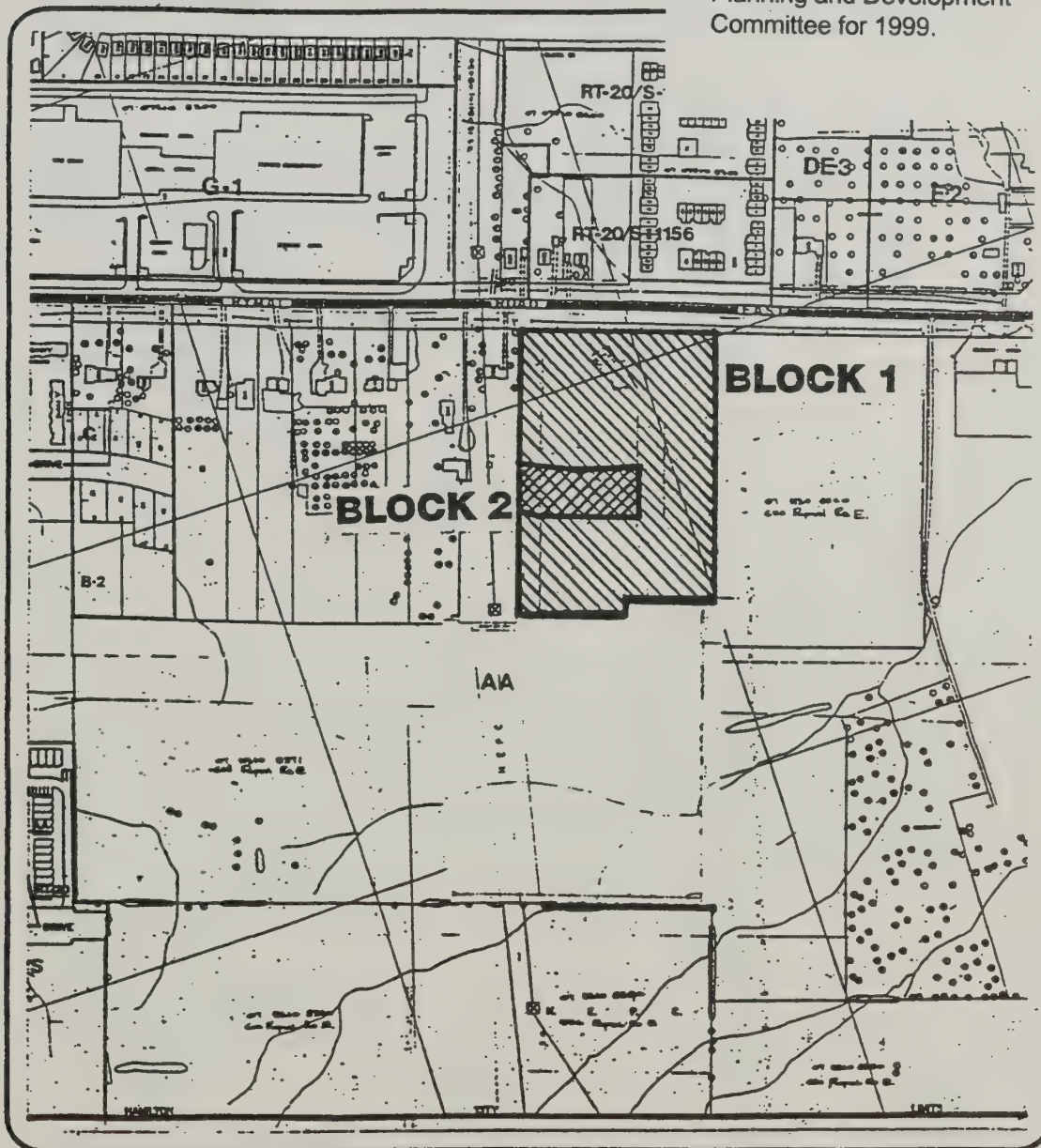
- (g) C-76 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located South of Rymal Road East and East of the Ontario Hydro Corridor.

Respectfully submitted,

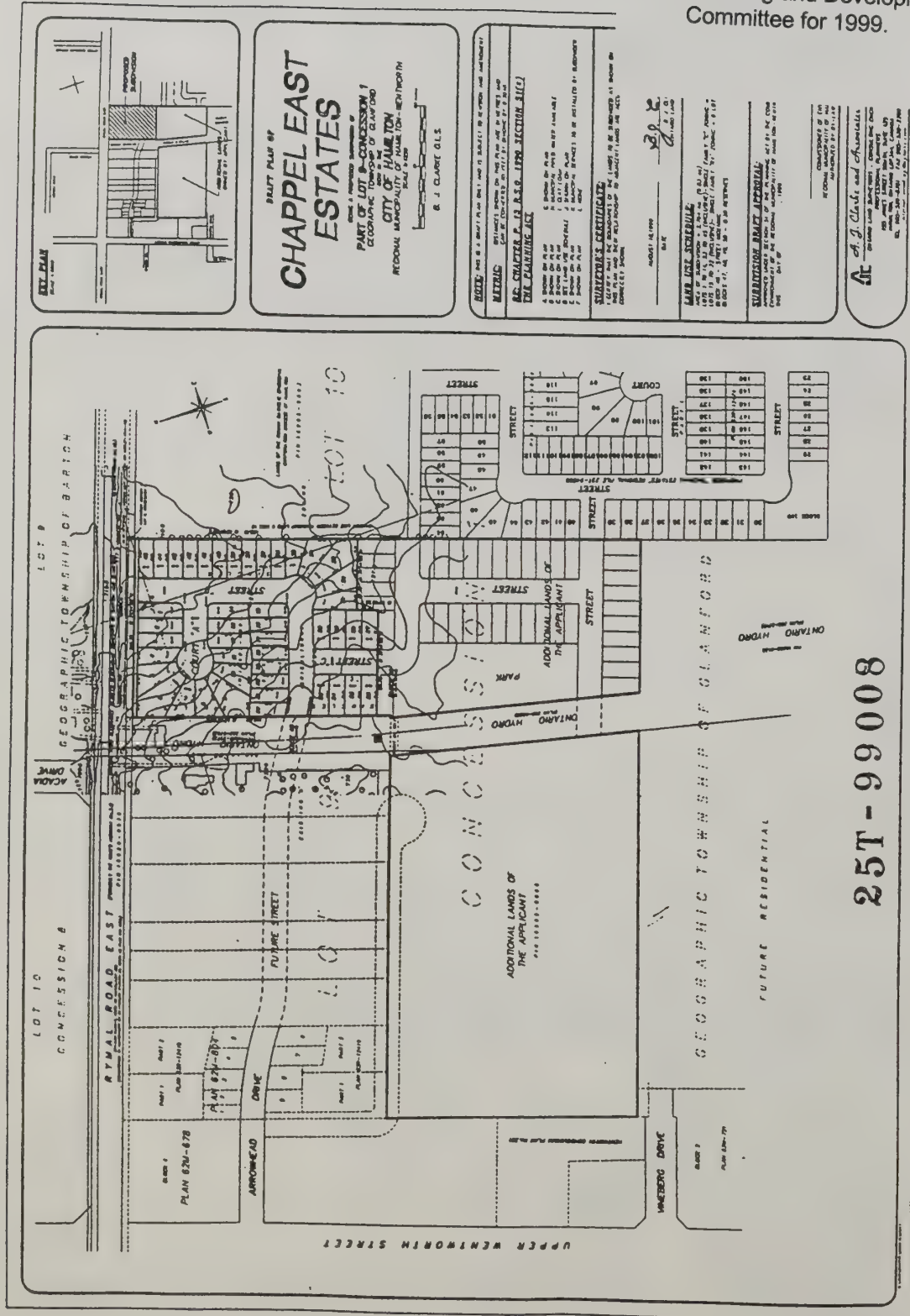
ALDERMAN F. D'AMICO, CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE

Tina Agnello, Secretary
November 24, 1999

Appendix "A" referred
to in Section 1 of the
TWENTY-THIRD Report of the
Planning and Development
Committee for 1999.



Appendix "B" referred to in Section 1 of the **TWENTY-THIRD** Report of the Planning and Development Committee for 1999.



APPENDIX "B"

Appendix "C" referred
to in Section 4 of the
TWENTY-THIRD Report of the
Planning and Development
Committee for 1999.

INTERNATIONAL VILLAGE BUSINESS IMPROVEMENT AREA'S

2000 BUDGET

OPERATIONS:

Rent	\$ 8,400
Utilities	2,500
Phone/Fax	1,600
Office Supplies	1,500
Equipment Purchase*	1,500
Bank Charges	500

Total \$16,000

WAGES:

Executive Director	\$31,000
Wage Costs	3,410
Summer Student	1,500
Wage Costs	100

Total \$36,010

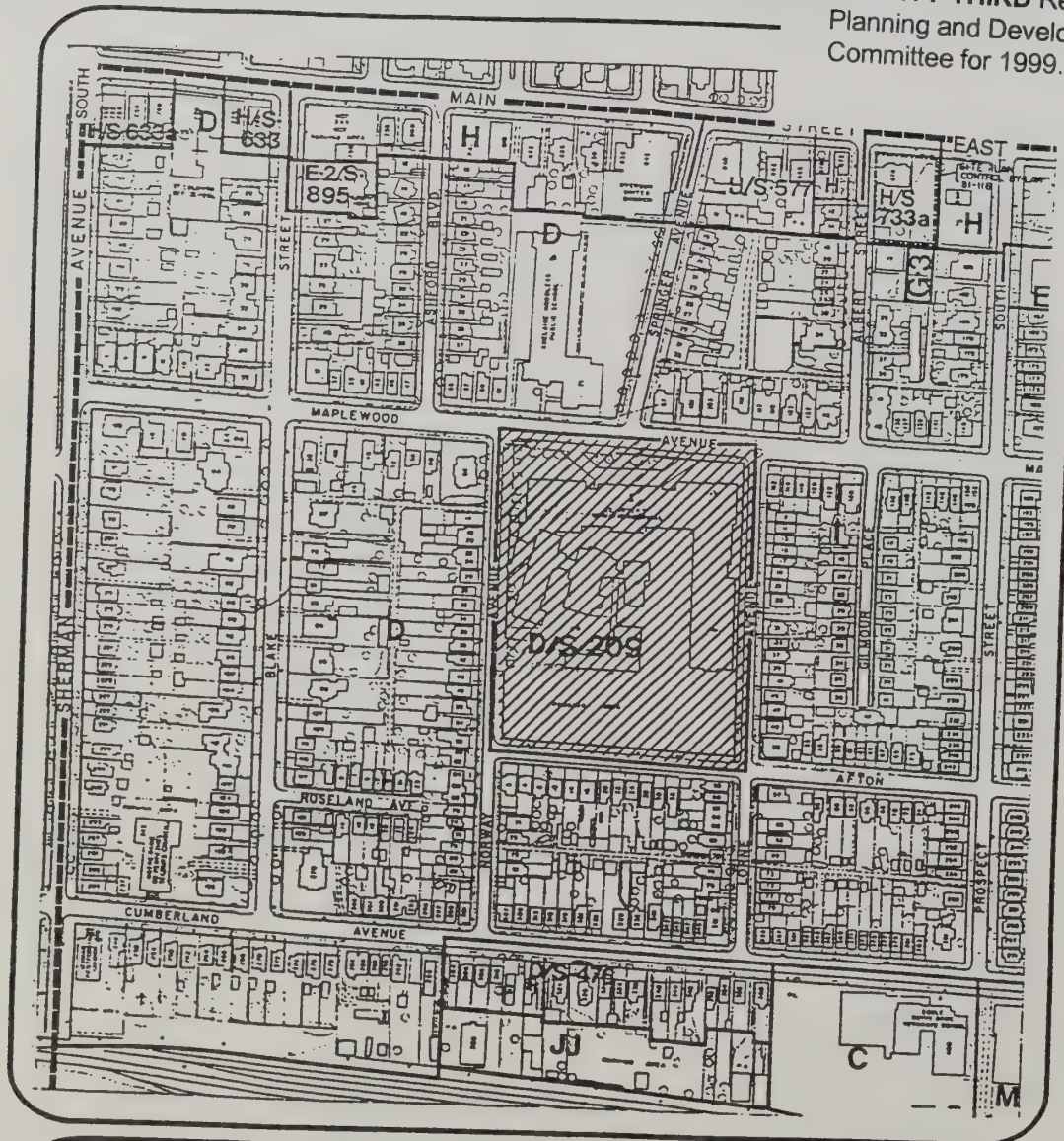
MISCELLANEOUS:

Insurance	\$ 1,600
Audit	450
Printing & Postage	1,500
Advertising & Promotion	10,000
Contingency	3,400

TOTAL BUDGET \$68,960

*Purchase photocopier

Appendix "D" referred
to in Section 6 of the
TWENTY-THIRD Report of the
Planning and Development
Committee for 1999.



City of Hamilton

PLANNING AND DEVELOPMENT DEPARTMENT

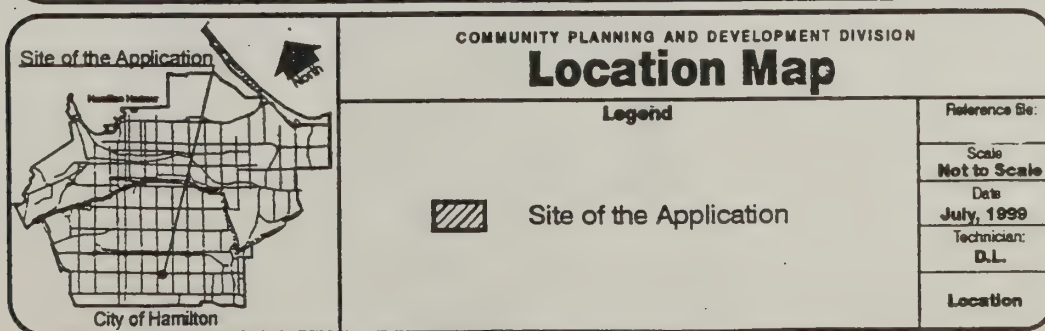
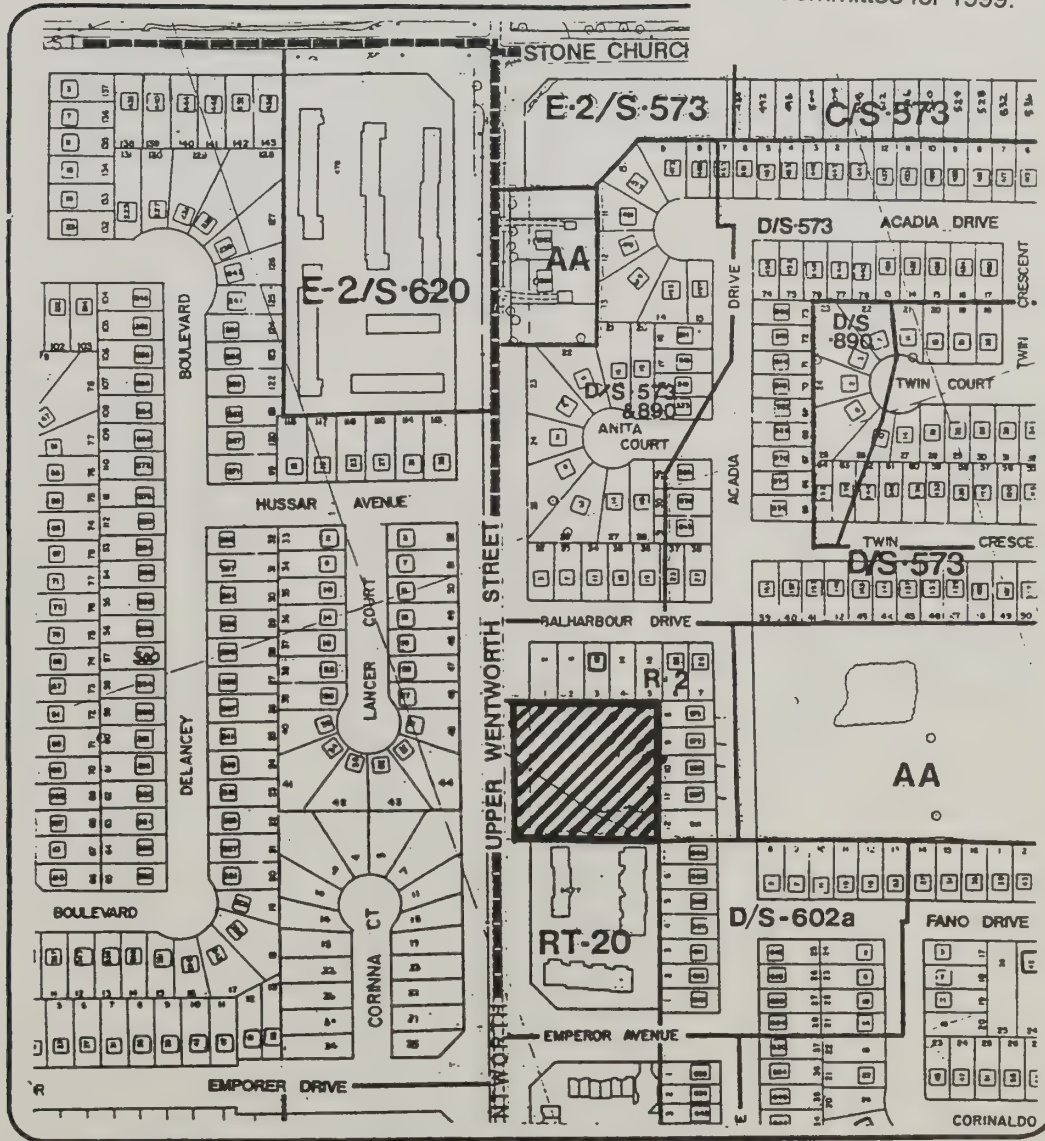
Location Map

Legend

Site of the Application

Reference file:	DA-95-21
Scale	Not to Scale
Date	JUNE 1999
Technician:	FAB
APPENDIX A	

Appendix "E" referred
to in Section 7 of the
TWENTY-THIRD Report of the
Planning and Development
Committee for 1999.

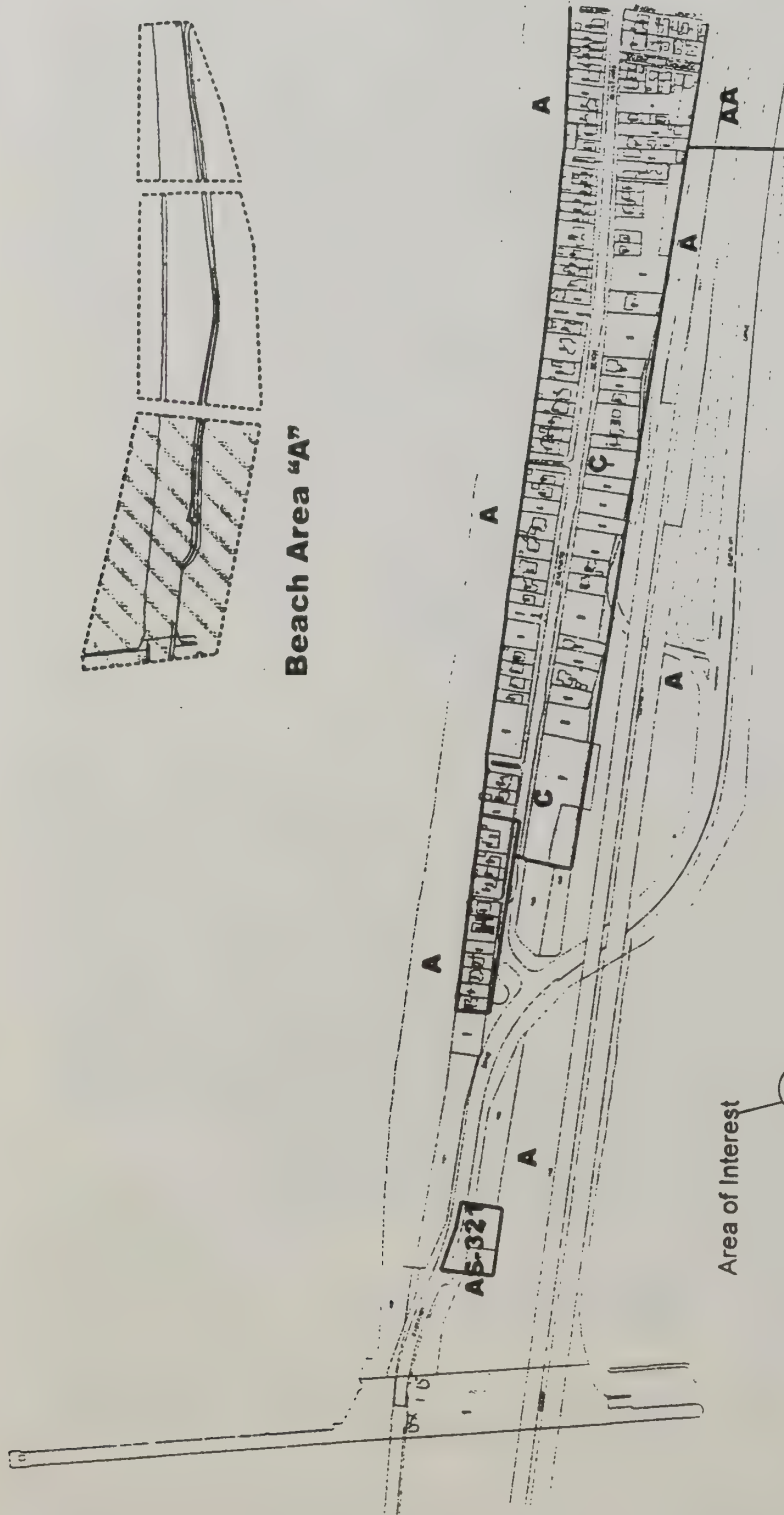


Appendix "F" referred
to in Section 12 of the
TWENTY-THIRD Report of the
Planning and Development
Committee for 1999.

Appendix A



Beach Area "A"



Area of Interest

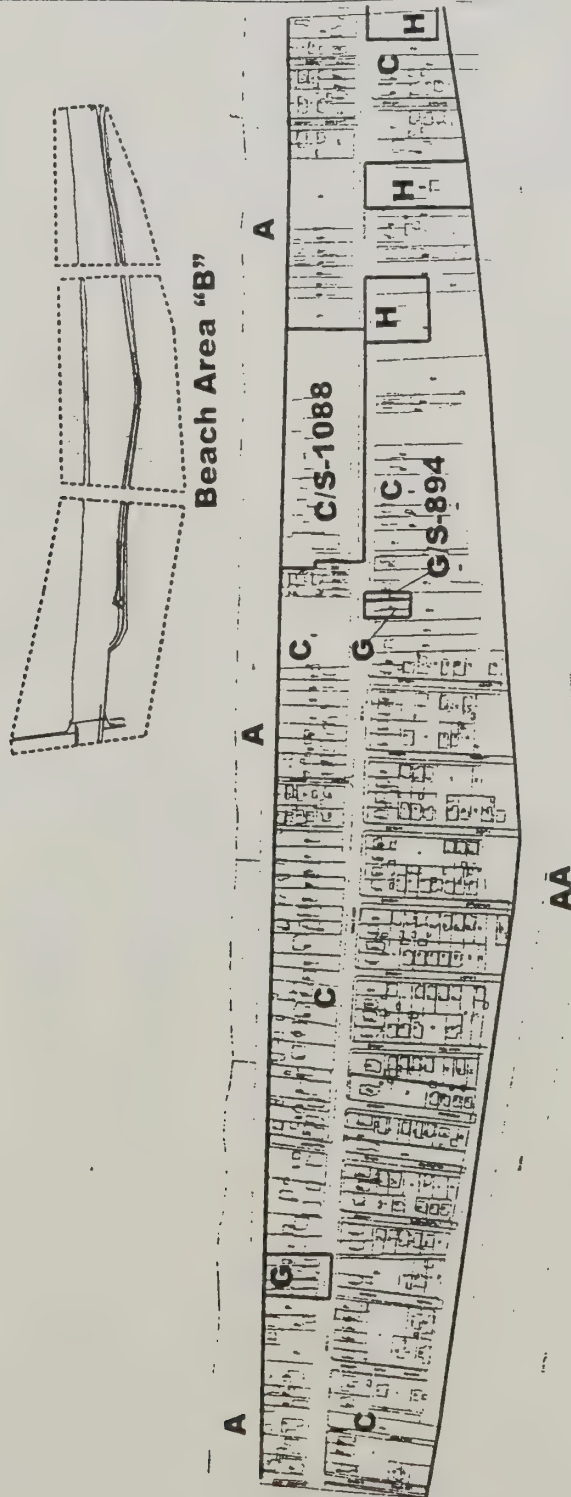


COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Reference file:	CL 99-D
Scale:	Not to Scale
Date:	September, 1999
Technician:	J.S.
Lands Subject to Zoning By-Law modifications	

Appendix "G" referred to in Section 12 of the **TWENTY-THIRD** Report of the Planning and Development Committee for 1999.

Appendix B



Area of Interest

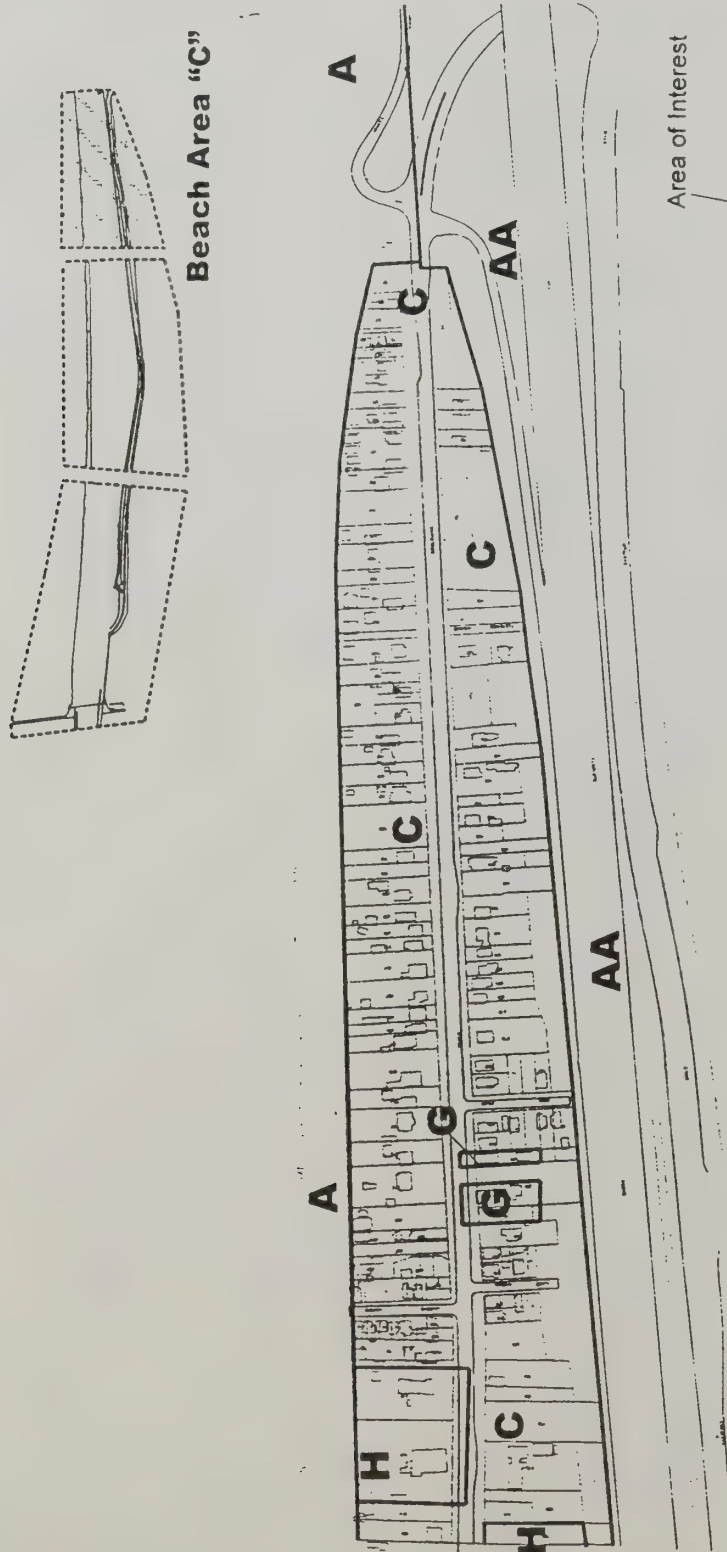


COMMUNITY PLANNING AND DEVELOPMENT DIVISION	
Reference file	C/S-1088
Scale	Not to Scale
Date	September, 1999
Technician	J.S.
☐ Lands Subject to Zoning By-Law modifications	

Appendix "H" referred to in Section 12 of the **TWENTY-THIRD** Report of the Planning and Development Committee for 1999.

Appendix C

Beach Area "C"



Area of Interest



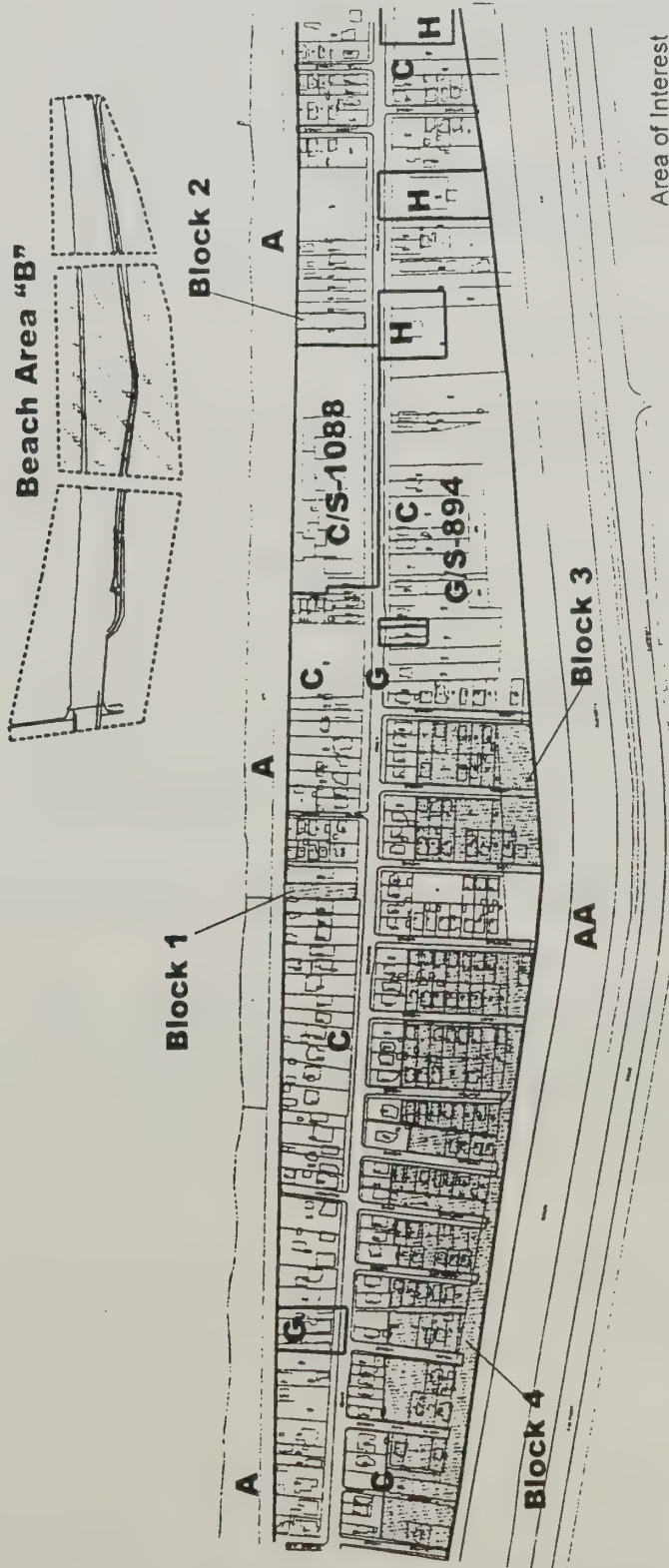
COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Reference file	CL 00.0
Scale	Not to Scale
Date	September, 1999
Technician	J.S.

☐ Lands Subject to Zoning By-Law modifications

Appendix "I" referred to in Section 12 of the **TWENTY-THIRD** Report of the Planning and Development Committee for 1999.

Appendix D



COMMUNITY PLANNING AND DEVELOPMENT DIVISION	
Blocks: 1,2,3,4 No buildings or structures except fences, allowed within the last 4.5m (15ft) of the rear yard	Reference file
	C108.D
	Scale
	Not to Scale
Date: 1999 Technician J.S.	



REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TWENTY-FOURTH** Report for 1999 and respectfully recommends:

1. 843 Mohawk Road East (PDC99157)

- (a) That the Building Department be directed to continue to monitor 843 Mohawk Road East on a daily basis for violations of the zoning by-law and that any enforcement be pursued in a vigorous manner; and,
- (b) That staff be requested to vigorously pursue laying charges for not complying with a stop order; and,
- (c) That the issuance of the building permit be conditional on a guarantee of access to the interior of the building; and,
- (d) That staff compile a report on technical information data base, if need be, with the services of outside consultants.

2. Enforcement of Regulations under the Building Code Act and The Planning Act

- (a) That the General Manager of the Community Planning and Development Division investigate amending Site Plan Control By-law #79-275, as amended, to include the infil of development of one and two family dwellings under development control in order to regulate grading and landscaping; and,
- (b) That the General Manager of the Community Planning and Development Division and Corporate Counsel investigate provincial private legislation to permit Building Inspectors right of entry to residential buildings to ascertain compliance with zoning by-laws; and,

November 30, 1999

- (c) That the General Manager of the Community Planning and Development Division and Corporate Counsel investigate the preparation of a by-law under Section 223.1 of The Municipal Act to authorize Council to regulate the placing or changing of fill and the alteration of grade of land.

Respectfully submitted,

ALDERMAN F. D'AMICO, CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE

Tina Agnello, Secretary
November 30, 1999

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SEVENTEENTH** Report for 1999 and respectfully recommends:

1. Y2K – Corporate Co-Ordination Plan (CSR99003)

- (a) That the General Manager of Community Services be authorized to establish a Y2K Co-Ordination Office for the purpose of developing and implementing a Corporate Y2K Co-Ordination Plan; and,
- (b) That an amount of up to \$75,000 be allocated from the City's Tax Stabilization Reserve (104055) to fund the City's share of this project.

2. City and Region's Policy in respect of Development Charges Payment Postponement Agreements (FIN99076Revised)

That the City of Hamilton's Development Charges Payment Postponement policy mirror the Region of Hamilton-Wentworth's policy as follows:

That the City's policy in respect of Development Charges Payment Postponement Agreements be amended to permit the extension of the existing three year term for a further three-year period for hardship cases under the following conditions:

- (a) That interest continue to accrue in accordance with the terms set out in the original amending agreement, until said agreement is discharged;
- (b) That the General Manager, Finance have discretion in structuring payments to the City in a manner satisfactory to all parties.

3. Policy: Private Sector Solicitation of Employees (C02199/HUR99019)

That the Policy: Private Sector Solicitation of Employees, which reads as follows, be adopted:

(a) The City of Hamilton will not permit private sector companies to solicit or procure business from its employees.

(b) That staff prepare and submit a report for Committee and Council's consideration addressing the details/options for community groups in accessing business from our employees. **ADDED**

4. Nuclear Weapons Abolition 2000 Resolution

That the following resolution respecting the abolition of nuclear weapons be endorsed and sent to area M.P.'s and area M.P.P.'s:

Whereas nuclear weapons pose a continuing threat to civilization, the human species, and life itself;

Whereas Cities have been primary targets of nuclear weapons throughout the Nuclear Age and remain vulnerable to the massive destructive effects of nuclear weapons;

Whereas the development and maintenance of nuclear arsenals are extraordinarily costly, still costing billions of dollars per year, and these resources could be far better utilized for rebuilding the infrastructure of our Cities, supporting the health and welfare of our citizens, and protecting and enhancing the quality of the environment;

Whereas the five declared nuclear weapons states (United States, Russia, United Kingdom, France and China) promised at the Non-Proliferation Treaty Review and Extension Conference in May 1995 to pursue "systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating these weapons";

Whereas the International Court of Justice ruled unanimously in July 1996, "There exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control";

Whereas retired U.S. General Lee Butler, once responsible for all U.S. strategic nuclear forces, has called nuclear weapons "inherently dangerous, hugely expensive, militarily inefficient and morally indefensible";

Whereas the end of the Cold War has provided an unparalleled opportunity to end the nuclear weapons era, which would fulfil our responsibility to present and future generations,

Now, therefore, be it resolved that the Municipality of Hamilton:

Calls for all nuclear weapons to be taken off alert status, for all nuclear warheads to be separated from their delivery vehicles, and for the nuclear weapons states to agree to unconditional no first use of these weapons;

Calls upon the governments of all nuclear weapons states to begin negotiations immediately on a Nuclear Weapons Convention to prohibit and eliminate all nuclear weapons early in the next century, and complete these negotiations by the year 2000; and

That copies of this resolution be sent to the Prime Minister and to the Minister of Foreign Affairs.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -15.

NAYS: Alderman D'Amico. -1.

CARRIED.

5. Declaration of Surplus Property – rear of 1321 Upper Wellington Street and 171 Main Street East (CS99021)

(a) That the following properties be declared surplus to the requirements of the City of Hamilton in accordance with the Real Property Sales Procedural By-law No. 95-049:

- (i) the rear of 1321 Upper Wellington Street
- (ii) 171 Main Street East

- (b) That Real Estate, Legal Services Section be authorized and directed to sell these properties in accordance with the Real Property Sale Procedural By-law No. 95-049.

6. Use of the City logo – Conqueror II Drum and Bugle Corps

That permission be given for the Conqueror II Drum and Bugle Corps to use the City logo in their recruiting and advertising posters and brochures.

7. Memorandum of Agreement C.U.P.E. Local 1041 (C02099)

That the Memorandum of Agreement between the City of Hamilton and C.U.P.E. Local 1041, dated October 28, 1999, covering the period April 1, 1999 and March 31, 2001, be approved and implemented in accordance with the terms therein.

8. Bill

That the following Bill be adopted, signed, sealed and enrolled as a By-law:

- (a) D-34 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton.

9. LLBO Store Openings on Boxing Day.

That the LLBO be advised that the City of Hamilton has no objection to wine and beer store openings on Boxing Day.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Corsini, Morelli, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -12.

NAYS: Aldermen Caplan, Copps, Wilson, D'Amico. -4. **CARRIED.**

November 30, 1999

Respectfully submitted,

ALDERMAN D. WILSON
CHAIRMAN
FINANCE AND ADMINISTRATION
COMMITTEE

Susan K. Reeder
Secretary
November 16, 1999

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The City of Hamilton Licensing Committee presents its **SIXTH** Report for 1999 and respectfully recommends:

1. Taxi Cab Driver Licence – David H. Virtue

That the Taxi Cab Driver Licence of David H. Virtue be granted subject to Mr. Virtue submitting an updated driving abstract to the Issuer of Licences on May 10, 2000.

2. Taxi Cab Driver Licence – Michael Mikaelian

That the Taxi Cab Driver Licence of Michael Mikaelian be granted subject to Mr. Mikaelian submitting an updated driving abstract to the Issuer of Licences on May 10, 2000.

3. Taxi Cab Driver Licence – Georges Isaac

That the Taxi Cab Driver Licence of Georges Isaac be granted subject to Mr. Isaac submitting an updated driving abstract to the Issuer of Licences on May 10, 2000.

4. Taxi Cab Driver Licence – Peter Diko

That the Taxi Cab Driver Licence of Peter Diko be granted subject to Mr. Diko submitting an updated driving abstract to the Issuer of Licences on May 10, 2000.

5. Taxi Cab Driver Licence – William P. Barnes Jr.

That the Taxi Cab Driver Licence of William P. Barnes Jr. be granted subject to Mr. Barnes submitting an updated driving abstract to the Issuer of Licences on May 10, 2000.

November 30, 1999

Confidential background information provided to members of City Council under separate cover.

Respectfully Submitted,

**ALDERMAN F. EISENBERGER,
CHAIRMAN
CITY OF HAMILTON LICENSING
COMMITTEE**

Stella Glover, Secretary
November 10, 1999

REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW

To the Council of the Corporation of the City of Hamilton.

Members of Council

The Mayor presents his **FOURTH** Report for 1999 and respectfully recommends:

1. Appointment of Members to the Hamilton Status of Women Committee

That the following Citizen Members be appointed to serve on the Hamilton Status of Women Committee for a term to expire November 30, 2000:

Patricia Christina
Elize Hartley
Charmaine Hodson
Meghan McIntosh
Geneva Neil
Barbara Shoemaker

2. Secretarial Assistance to the Hamilton Status of Women Committee

That secretarial assistance, satisfactory to the Municipal Clerk, be made available to the Hamilton Status of Women Committee, including meeting availability, at no additional cost. **ADDED**

Respectfully Submitted

MAYOR R. M. MORROW

November 30, 1999

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

The Nominating Committee presents its **FIFTH** Report for 1999 and respectfully recommends:

1. **Appointment of Members of City Council to the Committee of Adjustment**

That the following Members of City Council be appointed to serve on the Committee of Adjustment for a term commencing December 12, 1999 and expiring with the current term of City Council:

Alderman B. Charters
Alderman D. Haining

2. **Appointment of Members of City Council to the Selection Committee**

That the following Members of City Council be appointed to serve on the Selection Committee for a term commencing December 9, 1999 and expiring with the current term of City Council:

Alderman T. Anderson
Alderman M. Caplan
Alderman B. Charters
Alderman M. Kiss
Alderman B. Morelli
Alderman D. O'Sullivan

3. **Appointment of the Chairman of the Committee of the Whole – December, 1999; January and February, 2000**

That Alderman A. Horwath be appointed Chairman of the Committee of the Whole for the months of December, 1999; January and February, 2000.

4. **Appointment of Citizen Members to the Hamilton Entertainment and Convention Facilities Inc.**

That the following Citizen Members be appointed to serve on the Hamilton Entertainment and Convention Facilities Inc. for a term to expire December 31, 2002:

Fred Deys
Mary Dow
Andy Skrypniak

Respectfully Submitted,

**Mayor R. M. Morrow
Chairman
Nominating Committee**

J. J. Schatz
Secretary
November 30, 1999

REPORT OF THE HAMILTON-SCOURGE STEERING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Hamilton-Scourge Steering Committee presents its **FIRST** Report for 1999 and respectfully recommends:

1. **Ghost Ships Millennium Project Requests for Proposals – Authorization to Enter into Negotiations (CSC99052)**

That the General Manager, Community Services Division, be authorized to set aside the Stage 2 – Request for Proposals phase and to enter into negotiations with a partnership headed by Aquatic Sciences International, the successful respondent to the Expressions of Interest competition, in order to develop a public-private partnership to complete the Ghost Ships Millennium Project.

2. **An Act to Preserve Ontario's Marine Heritage and Promote Tourism by Protecting Heritage Wrecks and Artifacts – A Private Members Bill (CSC99053)**

- (a) That City Council express its support for enactment of the Private Member's Bill entitled "An Act to Preserve Ontario's Marine Heritage and Promote Tourism by Protecting Heritage Wrecks and Artifacts", attached hereto and marked as Appendix "A" on the basis that it will provide much needed legislative protection for the Hamilton and Scourge shipwrecks; and,
- (b) That His Worship Mayor Morrow be requested to communicate this support to the Premier of Ontario; the Minister of Citizenship, Culture and Recreation; and, all Hamilton-area MPP's.

Respectfully submitted,

**ALDERMAN F. D'AMICO, CHAIRMAN
HAMILTON-SCOURGE STEERING
COMMITTEE**

**Charlene Touzel, Secretary
November 30, 1999**

Bill

APPENDIX "A"

1999

**An Act to preserve
Ontario's marine heritage and promote tourism
by protecting heritage wrecks and artifacts.**

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Purpose

1. The purpose of this Act is to enhance the protection and preservation of Ontario's marine heritage resources and to promote responsible exploration of marine heritage sites.

Definitions

2. In this Act,

"heritage wreck" means the abandoned remains of a vessel, aircraft or any other prescribed object that is fully or partially submerged in waters on Crown land in Ontario and has been so submerged for a period of time prescribed by regulation; ("épave à valeur patrimoniale")

"marine heritage site" means the site of a heritage wreck and its associated debris area and the parts of the lake or river bed that are under them and includes any other parts of the lake or river bed that have been modified as a result of the sinking of the wreck, or as a result of subsequent sedimentary processes. ("aire marine à valeur patrimoniale")

"Minister" means the member of the Executive Council to whom the administration of this Act is assigned by the Lieutenant Governor in Council; ("ministre")

"prescribed" means prescribed by the regulations made under this Act; ("règlements")

"protected artifact" means an object in a marine heritage site that was part of a vessel or aircraft that is a heritage wreck or that was in or on the vessel or aircraft before it sank; ("artefact protégé")

Ownership

3. The Crown in right of Ontario owns every heritage wreck and protected artifact.

Prohibitions

4. (1) No person shall engage in any of the following activities unless the person is specifically authorized to do so by the terms of a licence issued under Part VI of the *Ontario Heritage Act*:

1. Enter a heritage wreck, or cause an object to enter a heritage wreck.
2. Move part of a heritage wreck.
3. Remove silt or other naturally occurring substances in a marine heritage site.
4. Remove a protected artifact from a marine heritage site.
5. Damage a heritage wreck or a protected artifact.
6. Take any other action that alters or adversely affects, or is likely to alter or adversely affect a marine heritage site, a heritage wreck or a protected artifact.
7. Any other activity specified in regulation.

Exception

(2) Subsection (1) does not apply at such marine heritage sites as may be prescribed but only with respect to such activities at those sites as may be prescribed.

Seizure of property

— (3) A person having the power and authority of a member of the Ontario Provincial Police Force may seize a vessel or equipment which the person believes is being used or has been used to contravene this Act.

Record of wreck sites

5. The Minister shall publish, in a manner prescribed by regulation, a record of marine heritage sites known to the Minister.

Discovery of evidence

6. A person who finds physical evidence that a site is likely a marine heritage site which is not listed in a record published under section 5,

- (a) shall not do anything that may alter or adversely affect the site; and
- (b) shall notify the Minister of the nature and location of the evidence and the site as soon as possible.

Offence

7. (1) Every person who contravenes subsection 4 (1) or does not comply with section 6, and every director or officer of a corporation who knowingly concurs in the contravention or failure to comply, is guilty of an offence and on conviction is liable,

- (a) if the person is an individual, to a fine of not more than \$50,000 or to imprisonment for a term of not more than one year, or to both; or
- (b) if the person is a corporation, to a fine of not more than \$250,000.

Forfeiture

(2) The court may also order that any vessel or equipment used in the commission of the offence be forfeited to the Crown in right of Ontario.

Factors

(3) The court may take into account the following factors in deciding upon a penalty under subsections (1) and (2):

- 1. The degree of damage to a heritage wreck or protected artifact, if any, caused by the person.
- 2. Whether the person acted for profit.
- 3. Whether the person has previously been found guilty of an offence under this Act or the regulations.
- 4. Such other factors as the court may consider appropriate.

Regulations

8. The Lieutenant Governor in Council may make regulations in respect of such matters as are referred to in this Act as being prescribed.

Crown Prerogative

9. This Act shall not be construed to derogate from any Crown prerogative.

Commencement

10. This Act comes into force on the day it receives Royal Assent.

Short title

11. The short title of this Act is the *Ontario Marine Heritage Act, 1999*.

CAY ON HBL AOS

M21

1999

December 7, 1999

Minutes of Special Meeting of
Hamilton City Council
Tuesday, December 7, 1999
9:10 o'clock p.m.
Council Chamber, City Hall

URBAN MUNICIPAL

DEC 24 1999

GOVERNMENT DOCUMENTS

The Council met:

There were present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, R. Corsini,
B. Morelli, D. Haining, D. Wilson, C. Copps,
F. Eisenberger, T. Jackson, T. Anderson, B. Charters,
B. Kelly, F. D'Amico

Absent: Aldermen A. Horwath - City Business
Alderman C. Collins - Regional Business
Alderman D. O'Sullivan - Bereavement

Mayor R. M. Morrow called the meeting to order.

It was moved by Alderman M. Kiss and seconded by Alderman M. Caplan that the rules of order respecting the Twenty-four hour notice requirement for the calling of a meeting of City Council be waived.

CARRIED.

It was moved by Alderman M. Kiss and seconded by Alderman M. Caplan that Council move in Committee of the Whole to permit consideration of an item respecting Retirement Incentive Deadline Extensions.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, -14.

NAYS: -0.

CARRIED.

December 7, 1999

It was moved by Alderman D'Amico and seconded by Alderman Corsini that Council move in camera to discuss an item of a personnel nature.

CARRIED.

It was moved by Alderman D'Amico and seconded by Alderman Corsini that Council reconvene in open session.

CARRIED.

* * * * *

It was moved by Alderman Jackson and seconded by Alderman Haining that the City Manager be authorized to extend the retirement deadline for Mr. C. Gibbs in the Department of Public Works, to March 31, 2000.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that Bill F-10: A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton be adopted, signed, sealed and enrolled as a By-law.

CARRIED.

* * * * *

City Council then adjourned at 9:25 o'clock p.m.

* * * * *

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz,
Municipal Clerk
December 7, 1999**

December 9, 1999

Minutes of Special Meeting of
Hamilton City Council
Thursday, December 9, 1999
2:00 o'clock p.m.
Council Chamber, City Hall

URBAN MUNICIPAL

DEC 24 1999

GOVERNMENT DOCUMENTS

The Council met:

There were present:

Mayor R. Morrow, Chairman;
Aldermen M. Kiss, A. Horwath, R. Corsini,
B. Morelli, D. Wilson, C. Copps, C. Collins,
T. Jackson, B. Charters, T. Anderson,
B. Kelly, F. D'Amico

Absent:

Aldermen M. Caplan	- Other Business
Alderman D. Haining	- Other Business
Alderman F. Eisenberger	- Regional Business
Alderman D. O'Sullivan	- Bereavement

Mayor R. M. Morrow called the meeting to order.

It was moved by Alderman Kiss and seconded by Alderman Horwath that the Report of the Planning and Development Committee be now considered in the Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Corsini, Morelli, Wilson, Copps, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, -13.

NAYS: -0.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – TWENTY-FIFTH REPORT

**Section 2 Re: Added Section - Enforcement of Property Standards –
Downtown Core**

It was moved by Alderman Charters and seconded by Alderman Collins that the following be added as Section 2 of the Twenty Fifth Report of the Planning and Development Committee for 1999, and that the subsequent section numbers be amended accordingly:

2. That staff be directed to actively enforce Property Standards in regards to buildings in the downtown core and report back to the next meeting of the Planning and Development Committee on outstanding offences.

CARRIED.

It was moved by Alderman Kiss and seconded by Alderman Horwath that the Report of the Committee of the Whole on the Report of the Planning and Development Committee be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Corsini, Morelli, Wilson, Copps, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, -13.

NAYS: -0.

CARRIED.

City Council then adjourned at 2:40 o'clock p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**K. C. Christenson,
Acting Municipal Clerk
December 9, 1999**

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TWENTY-FIFTH** Report for 1999 and respectfully recommends:

1. CI-99-B, Deletion of "Public Parking Lots" as a Permitted use in the Downtown Area and "CR" (Commercial/Residential) Districts (PDC99134)

That approval be given to City Initiative 99-B for modifications to Zoning By-law No. 6593 to delete "Public Parking Lots" as a permitted use for those lands located in the Downtown Area, as shown on the attached map marked as APPENDIX "A", and from the "CR" (Commercial-Residential) Districts throughout the City, on the following basis:

(a) That Section 2.(2)D.(iii) of Zoning By-law No. 6593 be amended by:

- (i) adding the word ",structure," between the words "building" and "or" in the first line;
- (ii) deleting the word ",of" between the words "only" and "motor driven" in the second line;
- (iii) deleting the words "pursuant to previous arrangements and not to transients" in the third and fourth lines;

so the entire clause reads as follows:

"Garage, Storage" shall mean a building, structure, or portion thereof used for housing only motor-driven vehicles, and where fuels and lubricants are not sold, and motor-driven vehicles are not equipped for operation, repaired, hired or sold;

(b) That Section 14.(1)(viii) of Zoning By-law No. 6593 be amended by:

- (i) deleting the words "or a" between the words "bath" and "theatre" in the last line and replace with a comma;

- (ii) adding the words "or a public parking lot located in the area shown on Schedule "N"." at the end of the clause;

so the entire clause shall read as follows:

"Any commercial use permitted in an "E" or "G" District without a limitation on the number of employees except a massage parlour, public bath, theatre, or a public parking lot located in the area shown on Schedule "N"."

- (c) That Section 15.(1)(ii) of Zoning By-law No. 6593 be amended by:

- (i) deleting the word "and" in the last line and adding a comma;
- (ii) adding the phrase "or a public parking lot located in the area shown on Schedule "N" at the end of the clause so the entire clause shall read as follows:

"Any commercial use which is permitted in a residential district or other commercial district except a penny arcade, a third party/billboard sign, or a public parking lot located in the area as shown on Schedule "N"."

- (d) That Section 15A.(1)(xvii) of Zoning By-law No. 6593 be deleted in its entirety and replaced with the following clause:

"Parking spaces, or a storage garage;"

- (e) That Section 15B.(3)(b)17. of Zoning By-law No. 6593 be deleted in its entirety and replaced with the following clause:

"Parking spaces, or a storage garage;"

- (f) That Section 15B.(3)(b)20. of Zoning By-law No. 6593 be deleted in its entirety;

- (g) That Section 15B.(21) of Zoning By-law No. 6593 be amended by deleting the phrase "(Shall not apply to a public parking structure)" at the end of the clause;

- (h) That Section 15B.(23) of Zoning By-law No. 6593 be amended by deleting the phrase "(Shall not apply to a public parking structure)" at the end of the clause;

- (i) That Section 22 RESTRICTED AREAS BY-LAWS REPEALED of Zoning By-law No. 6593 be amended by adding the attached APPENDIX "A" as SCHEDULE "N";
- (j) That Corporate Counsel be authorized and directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council; and
- (k) That the proposed text amendments are in conformity with the Official Plan for the Hamilton Planning Area.

2. Enforcement of Property Standards – Downtown Core

That staff be directed to actively enforce Property Standards in regards to buildings in the downtown core and report back to the next meeting of the Planning and Development Committee on outstanding offences.

ADDED.

3. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

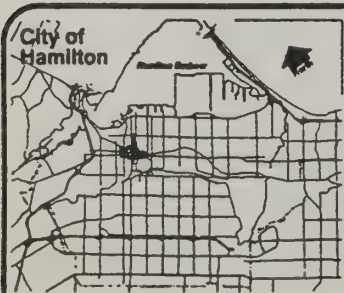
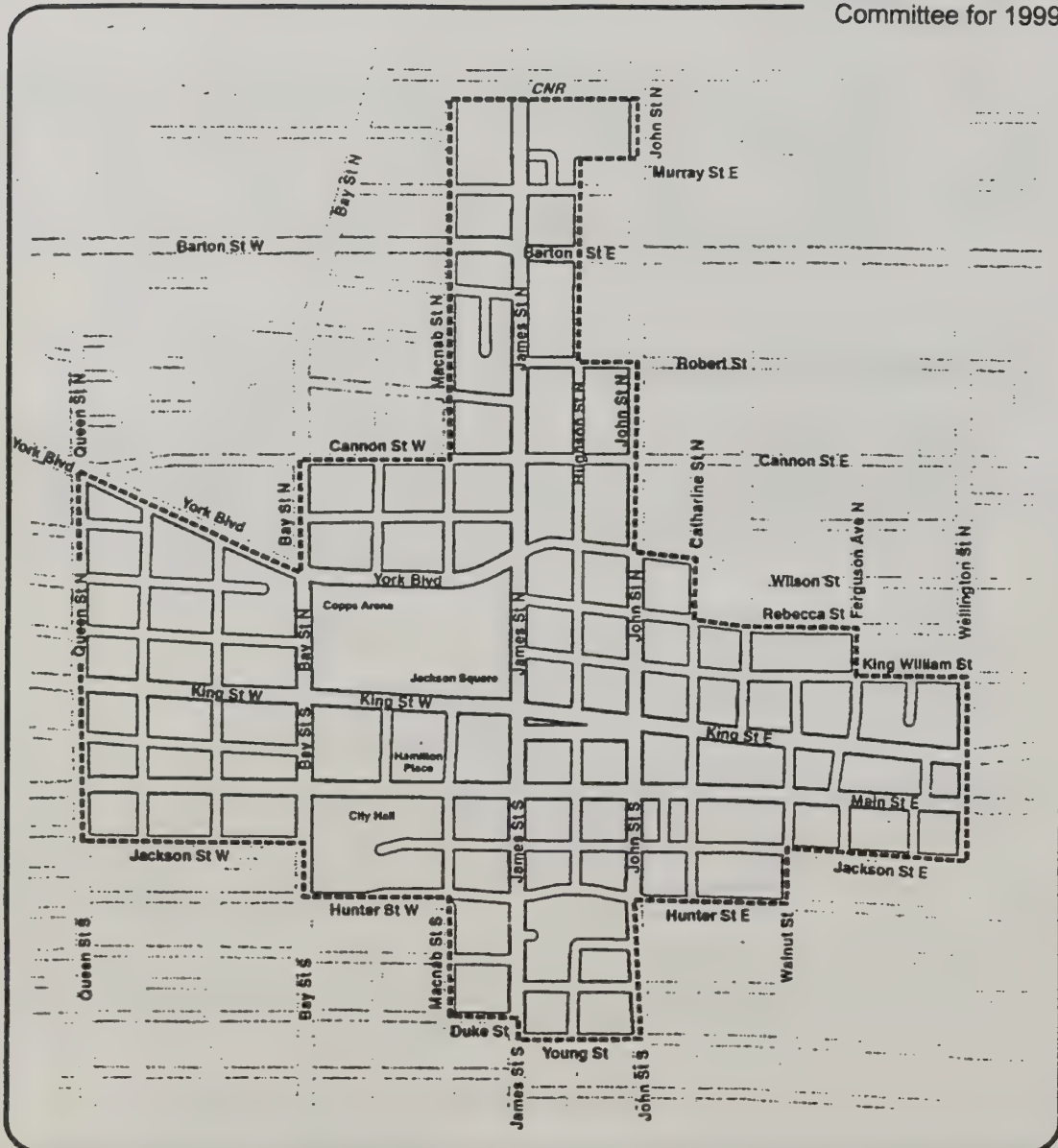
- (a) C-77 A By-law to Amend Zoning By-law No. 6593 Respecting Deletion of "Public Parking Lots" as a Permitted Use in the Downtown Area and "CR" (Commercial/Residential) Districts.
- (b) C-78 A By-law to Confirm the Proceedings of Council of the Corporation of the City of Hamilton at its Meeting Held on the 9th Day of December, 1999.

Respectfully submitted,

ALDERMAN F. D'AMICO,
CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE

Tina Agnello, Secretary
December 8, 1999

Appendix "A" referred to in Section 1 of the **TWENTY-FIFTH** Report of the Planning and Development Committee for 1999.



COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Legend

 Public parking lots not permitted within this area

Reference file:

CI-99-B

Scale

Not to Scale

Date

Nov., 1999

Technician:

D.L.

Appendix "A"

Source: Hamilton Parking Authority and Licensing Division

CAY ON HBL AOS

M21

1999

December 14, 1999

URBAN MUNICIPAL

Minutes of Hamilton City Council
Tuesday, December 14, 1999
7:30 o'clock p.m.
Council Chamber, City Hall

DEC 24 1999

GOVERNMENT DOCUMENTS

The Council met:

There were present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini,
B. Morelli, D. Haining, D. Wilson, C. Copps,
C. Collins, F. Eisenberger, T. Jackson, B. Charters,
T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan.

Mayor R. M. Morrow called the meeting to order.

The National Anthem was played.

Reverend Louis Lenssen, Our Lady of the Assumption Church, led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow presented a Certificate of Recognition to the King Family of Hamilton in recognition of the cedar and sumac trees they have donated to organizations.

Mayor R. M. Morrow presented a Certificate of Recognition to Mr. Frank Peter who received the Stan Stronge Award for encouraging and mentoring young wheelchair athletes to succeed at wheelchair sports.

Mr. Michael B. Davie presented Mayor R. M. Morrow with a copy of his new book entitled Enterprise 2000. This book details how Hamilton is embracing the challenge of the new Millennium.

Mayor R. M. Morrow recognized the players and coaches of St. Mary's Secondary School for their Provincial AAA Basketball Championship for the second consecutive year.

ADOPTION OF MINUTES

The minutes of the meetings held November 24/25, 1999, November 30, 1999, December 7, 1999, and December 9, 1999 were adopted as circulated.

CORRESPONDENCE

1. Application dated December 9, 1999 from Robert and Faith Williams, 164 Rymal Road West, Hamilton for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for 164 Rymal Road West, Hamilton, Ontario.

Received.

2. Application dated December 10, 1999 from Jomar Developments Corporation Inc., 28 Corinthian Drive, Hamilton, for a further modification in zoning from "DE-3" – "H" (Multiple Dwellings – Holding) District, modified to "DE-3" (Multiple Dwellings) District, modified for 723 Rymal Road West, Hamilton, Ontario.

Received.

3. Letter from Chris Phillips, Executive Officer, Hamilton-Halton Home Builders' Association dated December 14, 1999 re: Planning Department staff attrition for the year 2000.

Received.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Report of His Worship Mayor R. M. Morrow, and the Nominating Committee, be considered in Committee of the Whole with Alderman Horwath in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT – NINTH REPORT

Section 1 Re: Fennell and Upper James - School Crossing Guard Request

It was moved by Alderman Morelli and seconded by Alderman Jackson that Sub-Section 3 (c) from Appendix "A" of Section 1 of the Ninth Report of the Transport and Environment Committee for 1999 be tabled **CARRIED.**

Section 13 Re: Rennie Street Closed Landfill

It was moved by Alderman Collins and seconded by Alderman Wilson that Section 13 (a) of the Ninth Report of the Transport and Environment Committee for 1999 be amended by deleting the words "consider proceeding" and replacing them with the word "proceed" in lieu thereof. **CARRIED.**

TRANSPORT AND ENVIRONMENT – TENTH REPORT

PARKS AND RECREATION COMMITTEE – TWELFTH REPORT

PLANNING AND DEVELOPMENT COMMITTEE – TWENTY SIXTH REPORT

Section 11 Re: Land Development Approval Process

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: Alderman Copps. –1.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – TWENTY SEVENTH REPORT

FINANCE AND ADMINISTRATION COMMITTEE - NINETEENTH REPORT

Section 2 (a) Re: Hamilton Downtown Partnership

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Jackson, Kelly, D'Amico, O'Sullivan. –14.

NAYS: Aldermen Collins, Charters, Anderson. -3.

CARRIED.

Section 2 Re: Hamilton Downtown Partnership

It was moved by Alderman Eisenberger and seconded by Alderman Caplan that Section 2 of the Nineteenth Report of the Finance and Administration Committee be amended by adding sub-section (c) as follows:

- (c) That the mandate and operation of the Downtown Partnership be reviewed by the Finance and Administration Committee at its first meeting of 2000. **CARRIED.**

Rule No. 9 Re: Administrative Assistant II vacancies – Aldermen's Support Staff

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of the appointment of two Administrative Assistants in the Aldermen's Offices. **CARRIED.**

Section 17 Re: Administrative Assistant II vacancies – Aldermen's Support Staff

17. Administrative Assistant II vacancies – Aldermen's Support Staff

That, in order to fill two vacancies Silvana Albano and Susan Newton be appointed to the positions of Administrative Assistant II (Aldermen's Support Staff) in the Aldermen's Office on a permanent basis as of January 1, 2000. **CARRIED.**

HIS WORSHIP MAYOR R. M. MORROW – FIFTH REPORT

NOMINATING COMMITTEE - SIXTH REPORT

ACTING MAYOR FOR THE MONTH OF JANUARY, 2000

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman F. Eisenberger be appointed Acting Mayor for the month of January 2000. **CARRIED.**

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Report of His Worship Mayor R. M. Morrow, the Nominating Committee, and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0. **CARRIED.**

* * * * *

City Council then adjourned at 9:40 o'clock p.m.

* * * * *

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz,
Municipal Clerk
December 14, 1999**

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **NINTH** Report for 1999 and respectfully recommends:

1. **Routine Amendments to the City Traffic By-law 89-72
Transport and Environment Committee Meeting 1999 December 06
(PWT99083)**

That the requests for routine amendments as listed in Appendix "A" attached hereto be approved, and that an appropriate by-law to amend the City Traffic By-law 89-72 be passed and enacted. Appendix "A"—Sub-section 3(c) TABLED.

2. **Three-way Stop Control – Amalfi Street and Upper Horning Road**

That a three-way stop control be implemented at the intersection of Amalfi Street and Upper Horning Road, and that City Traffic By-law 89-72 be amended accordingly.

3. **Fennell Avenue and Upper James Street – School Crossing Guard Request (PWT99080)**

That a School Crossing Guard be assigned to the intersection of Fennell Avenue and Upper James Street during the morning and evening school crossing periods only, on a permanent basis.

4. **Stone Church Road East and Upper Ottawa Street – School Crossing Guard Request (PWT99075)**

That a School Crossing Guard be assigned to the intersection of Stone Church Road East and Upper Ottawa Street during the morning and evening school crossing periods only, on a permanent basis.

5. **Cannon Bus Route – Bus Stop Relocations (PWT99078)**

- (a) That the following Hamilton Street Railway bus stop be relocated:

Route #3 Cannon

Delete - Westbound Roxborough Avenue, north side, 21 feet
east of Adeline Avenue (N/S); and

Delete - Westbound Roxborough Avenue, north side, 25 feet
east of Julian Avenue (N/S); and

Add - Westbound Roxborough Avenue, north side, 21 feet
and east of Ivon Avenue (N/S); and,

- (b) That the City Traffic By-law 89-72 be amended accordingly.

6. **Hot Dog Vendor Program**

That Mr. Tom Anderson be granted permission to operate his street vendor cart at the southeast corner of York and Bay Streets, at a fee of \$2,200, and that HECFI be advised accordingly.

7. **Keep Hamilton Clean Committee – Appointment of New Members (PWT99076)**

- (a) That the Keep Hamilton Clean Committee be allowed to recommend the appointment of a second "alternate" member for a term of up to three (3) years - such alternate would at all times have voice but vote only when a regular member is absent;

- (b) That the following citizens be appointed to the Keep Hamilton Clean Committee for a three (3) year term to expire 2002 December 31:

Raffaella Brugnano
Danielle Marchese
Kathy Vucic
Veronica Maliszewski

- (c) That the following citizen be appointed as an "alternate" member with a three (3) year term to expire on 2002 December 31:

Bill Paterson

8. **1999 Servicing Expenditures Related to Subdivisions (PDC99149)**

- (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreements with the Owners for the estimated costs of services in:

"PARKWAY MANOR – PHASE 1", Hamilton

City's share - NIL -, Owner's share \$ 311,048.00

"WENTWORTH COURT", Hamilton

City's share - NIL -, Owner's share \$ 36,984.00

"WENTWORTH COURT ADDITION", Hamilton

City's share - NIL -, Owner's share \$ 14,442.00

- (b) That the Mayor and Municipal Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owners of "Parkway Manor – Phase 1", Hamilton, "Wentworth Court, Hamilton" and "Wentworth Court Addition", Hamilton as well as and any other related documents for these Subdivisions subject to the approval of the Corporate Counsel; and,
- (c) That the approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered; and,
- (d) In the event that the owner wishes to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered the Owner should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing.

9. **To Incorporate Certain City Land into Various Streets by By-laws (TOE99016)**

- (a) That the following City land be incorporated into the following street:

Marilyn Court

Block 19

Plan 62M-684

- (b) That the by-laws to carry out the incorporation of the said land into the foregoing street be prepared to the satisfaction of the Corporate Counsel and be enacted by Council; and,
 - (c) That the General Manager of Transportation, Operations and Environment be authorized and directed to register the by-laws.
- 10. **Construction of a Concrete Alley First South of Markland Street from Chilton Place Westerly to the North-South Alley (PWT99081)**
 - (a) That the construction of a concrete alley first south of Markland Street from Chilton Place westerly to the north-south alley proceed as a local improvement on petition by the owners pursuant to Section 11 of The Local Improvement Act at an estimated gross cost of \$26,000.00 with a City's Share of \$23,820.20 and an Owner's Share of \$2,179.80 all as provided in the 1999 portion of the proposed 1999-2008 Capital Budget; and,
 - (b) That the General Manager, Transportation, Operations and Environment be authorized to construct these works once all the necessary approvals have been received; and,
 - (c) That the Acting Director of Public Works and Traffic be authorized and directed to prepare the necessary By-law in a form satisfactory to Corporate Counsel.
- 11. **Alfa Paper Products Inc., 735 Strathearne Avenue North – Application for a Certificate of Approval No. A650217 for a Waste Disposal Site – Processing (PDC99110)**
 - (a) That the West Central Branch and the Environmental Assessment and Approvals Branch of the Ontario Ministry of Environment be advised that the City of Hamilton objects to the proposed operation and recommends that the following be part of the Certificate of Approval No. A650217, should the Ministry approve the Certificate of Approval for Alfa Paper Products Inc. located at 735 Strathearne Avenue North, Hamilton:
 - (i) a condition be included within the Certificate of Approval that states "a space of not less than 3 metres (10 feet) kept clear of grass and weeds shall be maintained between the old corrugated cardboard pile located to the south of the main building and the adjacent piles of salvage materials";

- (ii) a condition be included within the Certificate of Approval that states "the old corrugated cardboard pile located to the south of the main building shall not exceed 3 metres (10 feet) in height and 100 square metres (1,076 square feet) in total area"; and,
- (iii) ~~that the~~ "Inclement Weather and Wind Blown Litter Collection Policy" prepared by Alfa Paper Products Inc., attached as Appendix "B", be included as an attachment to the Certificate of Approval; and,
- (b) That a copy of this report be forwarded to the West Central Branch and the Environmental Assessment and Approvals Branch of the Ontario Ministry of Environment for their consideration; and,
- (c) That the West Central Branch and the Environmental Assessment and Approvals Branch of the Ontario Ministry of Environment be requested to forward a copy of the decision respecting the proposed Certificate of Approval for Alfa Paper Products Inc. to the Municipal Clerk, City of Hamilton.

12. **Driveway Approach – 15 Clinton Street, Hamilton**

That a driveway approach be installed at 15 Clinton Street, Hamilton.

13. **Rennie Street Closed Landfill (PWT99082)**

- (a) That the City, in concert with the Hamilton-Wentworth Region, proceed with the design and construction of a leachate collection system to control leachate and prevent any potential discharge from the Closed Rennie Street Landfill, at an estimated cost of \$620,000; and, **AMENDED.**
- (b) That the Finance and Administration Committee recommend a method of financing these costs.

14. **Bills**

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-51 Being a By-law to Amend By-law No. 89-72 to Regulate Traffic
- (b) A-52 Being a By-law to Amend By-law No. 89-72 to Regulate Traffic

December 14, 1999

- (c) A-53 Being a By-law to Incorporate City Land designated as Block 19 on Plan 62M-864 into Marilyn Court

Respectfully submitted,

**ALDERMAN D. WILSON, VICE CHAIRMAN
TRANSPORT AND ENVIRONMENT
COMMITTEE**

Carolyn Biggs
Legislative Assistant
December 6, 1999

**Appendix "A" as referred to in
Section 1 of the Ninth Report of
the Transport and Environment
Committee**

1. Ward 1

- (a) Staff has received a request from Stan Tsakos, owner of Stan's Place, 918 Main Street West, that a "No Parking" loading zone be implemented on the east side of Bond adjacent to his restaurant.
- (b) Staff has received a request from Kerry Cranston, Bryan Prince Bookseller, 1060 King Street West, that a "No Parking" loading zone be implemented on the north side of King, in front of the business.
- (c) Staff has identified a conflict between the time limit and rush hour stopping prohibition signs in that on the west side of Dalewood between King and Traymore, the hours of the existing time limit and rush hour regulation are causing confusion for motorists.
- (d) Alderman Marvin Caplan has advised of a request from Mr. Dennis Missett, 12 Binkley Crescent, for northbound stop control at the "T" type intersections of Binkley and Sanders and Kingsmount and Sanders and for southbound stop control at the "T" type intersection of Daleview and Sanders.
- (e) Staff has received a petition requesting that the existing full-time "Three Hour Parking Time Limit", on the east side of Hess, from Duke to Robinson, be reduced in size such that the regulation commences at Duke and extends southerly to the east/west alley. The petition was signed by all four abutting residents, each of whom supports the requested amendment.
- (f) Ms. Judy Robinson, 23 Strathcona Avenue South, being disabled, has requested that a reserved "Permit Parking" regulation be implemented on the east side of Strathcona in the immediate vicinity of the rental property in which she resides. Ms. Robinson's landlord, Mr. Roy Zwerver, confirms that there is no off-street parking available for her use and supports her request for an on-street reserved parking space. It should be noted, however, that Mr. M. Perossa, the owner of the adjoining apartment building, 547 King Street West, objects to the regulation as it extends approximately five feet along the west side of his building's parking lot.

2. **Ward 2**

- (a) With the recent completion of City Places, the existing parking regulations were reviewed on Walnut from King to King William. In consultation with Housing staff, it is recommended that "No Parking" be maintained on the east side of Walnut adjacent to City Places only and three hour parking meters be installed on the east side, at the southerly end of the block.
- (b) Staff has received a request from Mr. Chris Barbieri, on behalf of his mother, Elisa Barbieri, 83 Simcoe Street East, that a full-time "Wheelchair Loading Zone" be implemented on the north side of Simcoe directly in front of her home since she is disabled and requires the use of DARTS vehicles.
- (c) Alderman Ron Corsini advised of a request from Hotz and Sons Ltd. that a "No Parking, 11:00 p.m. to 8:00 a.m., Monday to Friday" regulation be implemented in the lay-by directly adjacent to their property, on the east side of Ferguson, north of Cannon.

3. **Ward 3**

- (a) Alice Thibeault, 36 Douglas Street, has requested that her reserved "Permit Parking" regulation be re-instated in front of her home as she has recently obtained a vehicle.
- (b) Mrs. Chechalk, 14 Case Street, has requested that the reserved "Permit Parking" regulation on the south side of Case in front of her home be removed as her husband has passed away.
- (c) Mr. Labate, 40 Garfield Avenue North, has requested that the reserved "Permit Parking" regulation on the east side of Garfield in front of his father's home be removed as his father has passed away. **TABLED.**
- (d) Staff has received a petition signed by representatives of 20 of the 26 abutting properties requesting that the existing "Alternate Side Parking" regulation on Barnesdale between King and Vineland be replaced by a "No Parking" regulation on the west side and unrestricted parking on the east side of the street in this block. All 20 of the representatives support the request.
- (e) Mrs. Debra-Ann Leratte, 17 Land Street, has requested that a reserved "Permit Parking" regulation be implemented on the south side of Land directly in front of her home, since she is disabled.

- (f) Mr. P. Fazzari, 21 Carrick Avenue, has requested that the existing reserved "Permit Parking" space in front of his home be removed since he is moving.

4. Ward 4

- (a) Staff has received a request from Judy Freeman, 358 Fairfield Avenue North, that a reserved "Permit Parking" regulation be implemented on the east side of Fairfield, directly in front of her home since she is disabled.
- (b) Staff has received a request from Sandra Burke on behalf of her mother Doris Burke, 220 Grenfell Avenue, that a reserved "Permit Parking" regulation be implemented on the south side of Grenfell, directly in front of her mother's home as she is disabled.
- (c) An area resident has requested the removal of the existing reserved "Permit Parking" regulation on the east side of Fraser, directly in front of No. 28 Fraser Avenue, as the resident has moved, which staff has confirmed.
- (d) Staff has received a request from Dorothy Spence, the Principal of St. Helen School, 785 Britannia Avenue, that the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday " regulation on the north side of Britannia, be relocated such that it is directly in front of the school doors.
- (e) Staff has received a request from Lindy Millen, the Principal of Queen Mary School, 1292 Cannon Street East, that a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday " regulation be implemented on the east side of Province and on the north side of Roxborough to accommodate the transportation of students to her school.
- (f) Staff has received a request from Marie Dean, 61 Edinburgh Avenue, that a "No Parking, 9:00 a.m. to 6:00 p.m., Seven Days a Week" regulation be implemented on the east side of Fraser adjacent to her home as she is disabled.
- (g) An area resident has requested the removal of the existing reserved "Permit Parking" regulation on the east side of Cope, directly in front of 404 Cope Street, as the resident has moved. Staff has confirmed that the resident, for whom the subject regulation was implemented, no longer resides at this address.

- (h) Staff has received a petition signed by representatives of 13 of the 16 properties abutting Normandy between Barons and Rodgers requesting that the existing "Alternate Side Parking" regulation be replaced by a "No Parking" regulation on the north side and unrestricted parking on the south side. All 13 of the representatives support the request.
- (i) Staff has received a petition requesting that the existing "Alternate Side Parking" regulation on Walter, between Melvin and Barton, be revised such that parking is prohibited on the west side of the street during the months of December to March, inclusive. The petition has been signed by representatives from 17 of the 20 properties abutting the subject street, all of whom support the requested amendment.

5. **Ward 5**

- (a) Staff has received a request from John Shkopiak, the Principal of St. Joan of Arc School, 60 Barlake Avenue, that a "Wheelchair Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Friday " regulation be implemented on the south side of Barlake, directly in front of the school, to accommodate the loading/unloading of disabled children attending his school.
- (b) Staff has received a request from Louis Serafini, President, Mount Albion Plaza, 399 Greenhill Avenue, that a "No Parking, 9:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the west side of Harrisford to facilitate turning movements of delivery vehicles accessing the plaza. Mr. Serafini has agreed to limit the hours of the requested regulation such that parking will be permitted in the evening and all day on weekends.
- (c) Staff has received a petition, signed by 15 of the 19 abutting residents, requesting the implementation of a full-time "Two Hour Parking Time Limit" regulation on the east and south sides of Jerome, from Riverdale to Delewana, to deter long-term non-residential parking. All 15 of the residents signing the petition support the requested regulation.

6. **Ward 6**

7. **Ward 7**

8. **Ward 8**

- (a) Staff has received a request from Alfred Rushton, 63 Fonthill Road, that a "No Parking" regulation be implemented on the 90 degree bend of Fonthill. The abutting property owner concurs with the request.
- (b) Staff has received a petition signed by representatives of three of the four homes abutting Leslie between West 32nd and West 33rd requesting that a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of the street in this block.
- (c) Staff has received a petition signed by representatives of 14 of the 20 properties abutting West 34th between Bendamere and Leslie requesting that an "Alternate Side Parking" regulation and a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of street in this block.
- (d) Staff has received a request from Mr. Lazlo Gauder, 52 Elgar Avenue, for eastbound stop control at the "T" type intersection of Fassett and Elgar.
- (e) Alderman Duke O'Sullivan has advised of a request from Nanci Simpson, 12 Westvillage Drive, for southbound stop control at the "T" type intersection of Westvillage and Gisele.
- (f) Alderman Duke O'Sullivan has advised of a request from Nanci Simpson, 12 Westvillage Drive, that parking be prohibited on the north side of Gisele directly in front of the supermail boxes to allow residents to stop in this area and access their mail.
- (g) Staff has received a request from Christine Taylor, for northbound stop control at the "T" type intersection of Gledhill and Brigadoon.



Appendix "B" as referred to in Section
11 of the Ninth Report of the Transport
and Environment Committee

October 27, 1999

INCLEMENT' WEATHER AND WIND BLOWN WASTE POLICY

- 1 ALFA Paper Products will initiate the inclement weather and wind blown waste policy. Upon direction from the regional environmental department who will in turn notify all concerned or interested.
- 2 ALFA Paper Products will carry out regular inspections, and if necessary, do maintenance on all existing fencing designed in containing loose debris.
- 3 ALFA Paper Products will execute clean up activities of stray and wind blown debris as required: in order to maintain proper appearances on site.
- 4 All clean up will take place on a as required basis & all debris will be removed so as to return site to normal appearance
- 5 It is understood that clean up activities defined under this policy apply strictly to cleanups on the actual land and not within the buildings on the property.
- 6 Dissatisfied property owners in the vicinity of ALFA Paper Products are invited to contact Regional Environment Department staff to request additional clean up activities at which time the regional staff will assess the request and direct accordingly to achieve satisfactory resolutions. Regional Environment Department staff jointly with ALFA Paper Products will determine whether satisfactory resolutions were achieved.
- 7 Property owners having concerns relative to ALFA Paper Products operations are invited to contact:

M.O.E.	905.521.7640,
ALFA Paper Products at	905-549-2532
mobile number	905- 971-3931

735 Strathearn Avenue North
Hamilton. Ontario
L8H 5L3

Tel: 905-549-2532
Fax: 905-549-0743

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **TENTH** Report for 1999 and respectfully recommends:

1. Amendment to Private Property By-law 89-75 – Parking Regulations (PWT99088)

- (a) That the amendments to the Private Property By-law as set out in Appendix "A" attached to this report be passed and enacted; and,
- (b) That Council direct Building Department Licensing Staff to report on the feasibility of amending the Licensing By-law to regulate all Tow Trucks and Tow Truck Operations within the City of Hamilton;
- (c) That staff be directed to provide a status report on this issue at the January 17, 2000 meeting of the Transport and Environment Committee.

2. Bill

That the following Bill be adopted, signed, sealed and enrolled as a By-law:

- (a) A-54 Being a By-law to amend By-law 89-75 respecting Parking of Motor Vehicles on Private Property and Municipal Property

Respectfully submitted,

**ALDERMAN C. COLLINS, CHAIRMAN
TRANSPORT AND ENVIRONMENT
COMMITTEE**

Carolyn Biggs
Legislative Assistant
December 14, 1999

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **TWELFTH** Report for 1999 and respectfully recommends:

1. **Hamilton Amateur Athletic Association (H.A.A.A.) Grounds Commemorative Plaque (CSC99049)**

- (a) That authorization be given to erect a commemorative plaque at the south entrance to the Hamilton Amateur Athletic Association (H.A.A.A.) Grounds as shown on the map attached hereto and marked Appendix "A"; and,
- (b) That the wording for the Hamilton Amateur Athletic Association (H.A.A.A.) Grounds plaque, attached hereto and marked as Appendix "B", be approved.

2. **2000 Winterfest Carnival and Community Council Activities - Event Approvals – Parks By-law 95-126 (CSC99048)**

- (a) That approval be granted to the following Community Councils to conduct horse drawn wagon rides, bonfires, skating parties, lumberjack games/ demonstrations and various large Winterfest family activities on the dates listed below:

COMMUNITY COUNCIL	DATE/2000	LOCATION
North Central	January 22	North Central Park
Friends of Gage Park	January 29	Gage Park
Gourley Park	January 29	Gourley Park
St. Clair	January 30	Myrtle Park
Eleanor	January 29	Eleanor Park
Strathcona	January 30	Victoria Park
Gilkson	January 29	Gilkson Park
Highridge South	TBC	Highridge Park

- (b) That permission be granted as required by Sections 5, 12(a) and 35 of Parks By-Law 95-126, as amended, to hold a fireworks display, bonfires and bring animals into Chedoke Winter Sports Park, Pier 4 Park and Kings Forest Golf Club on February 4, 5 and 6, 2000, and in the specified parks mentioned in recommendation (a).

3. **Sale of Alcoholic Beverages at the Delegate Social Night – 2000 Festival & Events Ontario Conference – Parks By-law 95-126 (CSC99050)**

That approval as required by Section 11 of Parks By-law 95-126, as amended, and under the Standard Terms and Conditions of the Special Events Guidelines, be given to Festivals & Events Ontario/Metamorphosis 2000 Conference to sell alcoholic beverages at the City owned property (240 Burlington Street) on March 10, 2000 from 6:00 p.m. to 1:00 a.m. as part of the Conference social program.

4. **Heritage Canada Museum Assistance Program – Financial Assistance Grant for Conservation Lab Upgrade (CSC99036)**

That the General Manager, Community Services Division, be authorized to apply for a federal grant from the Museum Assistance Program, Department of Canadian Heritage, to request funding in the amount of \$15,000 towards the purchase of conservation equipment for the Museums' Conservation Lab.

5. **Hamilton Community Foundation Grant – Hamilton Children's Museum (CSC99039)**

That the General Manager, Community Services Division, be authorized to apply to the Hamilton Community Foundation for \$45,000 to provide a professionally designed permanent exhibit at the Hamilton Children's Museum.

6. **Appointment of Members to the Arts Advisory Commission and the Hamilton Historical Board**

- (a) That Mel Freedman be appointed to serve on the Arts Advisory Commission for a term to expire November 30, 2002; and,
- (b) That Kathy Renwald and Robert Williamson be appointed to serve on the Hamilton Historical Board for a term to expire November 30, 2002.

7. Equipment Grant Program Guidelines – Culture and Recreation Department (CSC99035)

- (a) That the Equipment Grant Program Guidelines attached hereto and marked as Appendix “C”, which provides a process and funding for the supply of barbecues, tents, chairs, tables, etc. for special events to community groups in support of their non-profit, fundraising, volunteer activities, be accepted and approved; and,
- (b) That a review of this program take place at the end of the Year 2000 and the results of this review be forwarded to the Parks and Recreation Committee.

8. Department of Culture and Recreation 2000 Current Budget – Reduced Hours of Operation at Recreation Centres (CSC99055)

- (a) That Council set aside the recommendation of the General Manager of Community Services to reduce the hours of operation of Recreation Centres as a measure to achieve budget savings in the amount of \$148,110 as directed by City Council in its approval of the 2000 Current Budget; and,
- (b) That the Director of Culture and Recreation be directed to report back on opportunities to produce savings in the amount of \$148,110, in ways other than the reduction of existing service levels.

9. Rink Board Advertising – City Arenas (CSC99042)

- (a) That the General Manager, Community Services Division, be authorized to exercise the City's option to renew its contract with Boardview Advertising, for a period of two years ending December 31, 2002; and,
- (b) That Boardview Advertising, through this contract extension, continue to be responsible for the supply, installation, service and maintenance of Arena rink board advertising of City Arenas as per the terms of the original contract.

10. Award of Contract to Harm Schilthuis and Sons Ltd. for the Design, Fabrication and Installation of the Desjardins Canal Floating Structure (PWT99086)

- (a) That the negotiation stage of the selection process be waived and a contract be awarded to Harm Schilthuis and Sons Ltd., of Ancaster, Ontario, for the design, fabrication, installation and maintenance of the floating structure for the Desjardins Canal section of the Hamilton Harbour Waterfront Trail, in the amount of \$1,270,090, including G.S.T., being the lowest bid of three acceptable proposals received; and,
- (b) That the Director of Legal Services and Corporate Counsel and the Supervisor of Purchasing and Accounts Payable be requested to assist with the preparation of a contract, and the Mayor and Municipal Clerk be authorized to execute the contract in a form satisfactory to Corporate Counsel and the Supervisor of Purchasing and Accounts Payable; and,
- (c) That this contract be financed from Capital Account No. CF629754026 – Harbour Waterfront Trail – Phase I, and the year 2000 Capital Budget appropriation for the Hamilton Harbour Waterfront Trail.

11. Revised Policy Respecting the Activities of the Hamilton Veterans Committee

- (a) That Section 1 of the THIRTEENTH Report of the Parks and Recreation Committee for 1983 as adopted by City Council on June 28, 1983, and subsequent amendments (Section 15 of the FIRST Report and Section 4 of the SIXTH Report of the Parks and Recreation Committee adopted by City Council on January 12, 1988 and April 30, 1996 respectively) regarding the Policy Respecting the Activities of the Hamilton Veterans Committee be rescinded; and,
- (b) That the new Policy Respecting the Activities of the Hamilton Veterans Committee be approved as follows:
 - (i) Veterans Parades and Services

The Hamilton Veterans Committee shall co-ordinate the following Veterans Parades and Services on behalf of the Corporation of the City of Hamilton:

1. Decoration Day Service – to be held on a Sunday in June of each year, the location of which will be rotated between Woodland Cemetery (Sections 5 and 18) and the Hamilton Cemetery. For the annual Service, Veterans' graves in each of these Cemetery Sections shall be decorated by Canadian flags.
2. East End Decoration Day Service – to be held on a Sunday in August of each year in Eastlawn Cemetery. Veterans' graves in Eastlawn Cemetery shall be decorated by Canadian flags for this Service.
3. Remembrance Day Service – to be held on November 11 at 11:00 a.m. each year at the Cenotaph in Gore Park, regardless of weather conditions.
4. Joint Remembrance Day Parade and Service with Veterans and the Hamilton Garrison Units/Cadet Corps – to be held at the Cenotaph in Gore Park on the Sunday preceding November 11 when November 11 falls on a Monday, Tuesday or Wednesday; or the Sunday following November 11 when November 11 falls on a Thursday or Friday; or, if November 11 falls on a Saturday or a Sunday, the Parade and Service will be held that day.

In the event of inclement weather, the Joint Parade and Service, provided that it is not held on November 11, and as determined by Parade Staff, shall be held in the James Street Armouries.

5. Other Veterans Parades and Services as may be required at the request of the Mayor of the City of Hamilton, the Parks and Recreation Committee and/or City Council.

(ii) Fields of Honour, Woodland Cemetery

The Hamilton Veterans Committee shall oversee the burial of Veterans in the Fields of Honour, Woodland Cemetery, based on the following criteria:

1. Only persons who were a Canadian, British, British Commonwealth, British Empire, Allied War Veteran

on active service during the Boer War (1899-1902), World War I (1914-1918), World War II (1939-1945) or the Korean War (1950-1953), or a member of the Canadian Armed Forces (regular permanent forces or active militia) who dies while on active service, shall be eligible to be buried in the Fields of Honour.

2. An Application for Burial in the Fields of Honour, attached hereto and marked as Appendix "A", must be completed in full and submitted for approval, to the Secretary, Hamilton Veterans Committee, with proof of service (Service or Discharge Papers), and in the case of family-paid burials, full payment for the Upright Monument.
3. Only Upright Monuments shall be permitted in the Fields of Honour, Woodland Cemetery.
4. Married couples who are both Veterans have the right to be buried side by side in the Fields of Honour, Woodland Cemetery. The adjacent plot can be reserved until the death of the spouse, provided that:
 - (a) A completed Application for Burial in the Fields of Honour is submitted and approved for the spouse at the time of the initial application; and,
 - (b) Full payment for the spouse's Upright Monument is submitted to the Secretary, Hamilton Veterans Committee, with the completed application; and,
 - (c) Full payment, or arrangements for an interest-free payment plan, is made to the Hamilton Municipal Cemeteries, for the spouse's grave, marker setting fee and interment, within six months from the time of the first interment.
5. For family-paid burials in the Fields of Honour, Woodland Cemetery, the Hamilton Veterans Committee shall rebate to the estate of the deceased Veteran, a one-time rebate of \$175 in lieu of the Soldiers' Cross that the City no longer provides.

6. No flowers, plants (artificial or real) or other articles shall be placed on a Veteran's grave and nothing shall be affixed to a Veteran's marker in the Fields of Honour, Woodland Cemetery, with the exception of winter wreaths on stands, that are permitted from November 1 to April 1 each year. Families can also make donations of flowers and plants, or monies for the purchase of same, for inclusion in the Garden of Remembrance located in Section 18, Woodland Cemetery, by contacting the Municipal Cemetery Office.

(iii) Cenotaph, Gore Park

1. Given that the Cenotaph in Gore Park is dedicated to Veterans that served in World War I, World War II and the Korean War, that wreaths laid in their memory be permitted, and that the Hamilton Veterans Committee be given the opportunity to comment on the placement of wreaths that do not fall under this category.
 2. That all fresh and artificial wreaths placed at the Cenotaph during Remembrance Day Services be removed by December 15 and January 15 respectively.
 3. That all wreaths placed at the Cenotaph for any other occasion be removed within one month of their placement.
- (c) That a copy of this revised policy be forwarded to the Manager of Cemeteries, Manager of Parks and the Special Events Advisory Team for their information and appropriate action.

12. City of Hamilton Submission to Toronto 2008 Olympic Bid Committee – Listing of Potential Sites in Hamilton (CSC99057)

- (a) That Council endorse the actions of staff in preparing and submitting the City of Hamilton's document entitled "Hamilton, Ontario, Canada Sports and Venues – 2008 Summer Olympics" to the Toronto 2008 Olympic Bid Committee, copies of which have been previously distributed to Members of the Parks and Recreation Committee and are available in the Office of the Municipal Clerk; and,

December 14, 1999

- (b) That City Council reaffirm its position taken on the City's involvement in Toronto's 2008 Olympic bid.

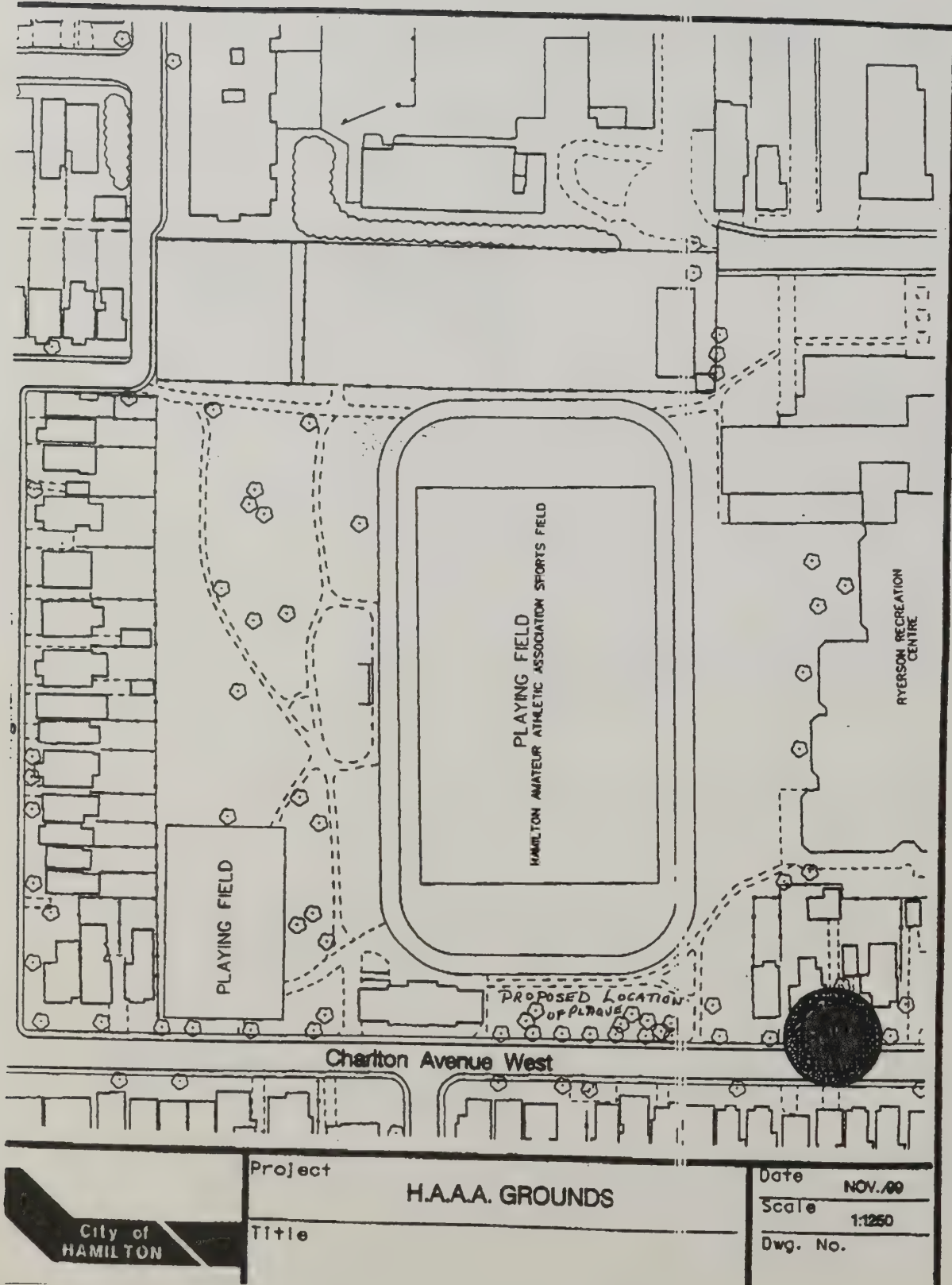
Respectfully submitted,

**ALDERMAN B. MORELLI, CHAIRMAN
PARKS AND RECREATION
COMMITTEE**

Charlene Touzel, Secretary
December 6, 1999

December 14, 1999

Appendix "A" as referred to in
Section 1(a) of the TWELFTH Report of the
Parks and Recreation Committee for 1999



THE H.A.A.A. GROUNDS

The original 1874 plans for this six and one-half acre site, owned by the Hamilton Cricket Club, included an eight-foot board fence, a dining room, dressing room and grandstand. In addition to cricket, lacrosse and rugby football were played here. Immediately to the north was one of Hamilton's earliest steeplechase courses. In 1910, the Tiger Rugby Club announced its amalgamation with the Cricket Club and intention to purchase an interest in the property. This led to the formation of the Hamilton Amateur Athletic Association (H.A.A.A.). By October, 1910, a new steel grandstand which seated 2,318 had been constructed on the west side of the field. The Grey Cup game was played here in October of that year. Between 1910 and 1935, Hamilton teams won 4 of 7 Grey Cup games played here. The grandstand, which was destroyed by a spectacular fire on 27 September 1927, was subsequently rebuilt. In 1945 the City of Hamilton purchased the H.A.A.A. Grounds. The Hamilton Tigers played here until 1950, after which high school and junior football teams took over the facility. The H.A.A.A. Grounds is the oldest sports park in Hamilton.

Appendix "C" as referred to in Section 7(a) of the TWELFTH Report of the Parks and Recreation Committee for 1999

EQUIPMENT GRANT PROGRAM

Purpose: To assist community organizations in accessing equipment for the purposes of fundraising or providing community service of a non-profit nature, in a manner that maximizes access to the largest number of organizations possible.

Criteria: The following criteria is proposed to focus the Grant Program to those organizations providing a clear community service and in need of financial assistance. Further, this criteria is designed to ensure that the Grant Program is in support of activities which provide community benefit or are fundraising in nature.

1. The activity must be a fundraiser or recognized community* event.

(Rationale: the above activities narrow scope of the grant to ensure that activities such as family barbecues are not funded through the Program)

2. Organization must be a non-profit organization.
3. Must be a volunteer organization or charity.
4. The organization must be Hamilton based and the event must take place on City or Regional property.
5. The organization must not have any other identifiable means of acquiring equipment.
6. City and Interdepartmental functions shall take precedence over all requests.
7. Limit of two requests per year.

(Rationale: the limit of two requests per year is recommended to maximize the number of groups who may access the program. Additionally, without a limit, those organizations of greatest ability would quickly deplete the resources through grant requests)

8. Adult tournaments and groups are not eligible to receive a grant.

(Rationale: it is felt that adult groups have the ability to acquire the resources needed)

9. Groups receiving a grant do not receive any other funding from the municipality in the provision of their services.

Process

The following steps will constitute the process for receiving an Equipment Grant. This process aims to provide the groups service while maintaining accountability and transparency of all involved.

1. The organization will submit an application for a grant advising the nature of event, host group, location, date, time and contact personnel. The application will be submitted no less than 30 days prior to the event to the identified Culture and Recreation personnel.
2. Culture and Recreation will respond that the event meets the criteria (or not) and that it is eligible for the grant, up to a maximum of \$500.
3. Requests will be cross-referenced against previous requests (to ensure they do not exceed two grants in one calendar year), as well as municipal records of other grant provisions.
4. All requests will be administered on a first come first serve basis until the budget is depleted.
5. Upon completion of the event, the organization will submit a receipt of rental to the Culture and Recreation personnel, who will issue a cheque to a maximum of \$500. (Rentals must be directly related to event. Car rentals, tuxedo rentals, etc. would not be eligible)
6. Use of personal equipment related to an organization by a member will not be eligible for reimbursement. Only commercial rentals will be rebated. (The procedure as per Policy is not meant to advantage any person)
7. Groups requesting a grant and cancelling the event will not be eligible for reimbursement.

***Definition**

A Community Event is defined as an activity in which all are welcome, does not profit an individual, group of individuals or a for-profit company. The host organization has an elected executive board, annual meetings and is participating in a fundraiser or community program of interest to the neighbourhood or organizational membership.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TWENTY-SIXTH** Report for 1999 and respectfully recommends:

1. ZA-99-35, by The Rosslyn for 1320-1322 King Street East (PDC99152)

That approval be given to Zoning Application ZAC-99-35, by 1018092 Ontario Ltd. (The Rosslyn), owner/prospective owner, for a modification to the existing "H" (Community Commercial and Shopping, etc.) District regulations, to permit the expansion of the existing Residential Care Facility from 50 residents to 64 residents, for lands located at 1320-1322 King Street East, as shown on the attached map marked as APPENDIX "A", on the following basis:

- (a) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 14.(1) of Zoning By-law No. 6593, the following use shall be permitted:
 - 1. a senior citizens "residential care facility" for the accommodation of a maximum of sixty four (64) persons;
 - (ii) That for the purposes of this By-law, a senior citizens "residential care facility" means a residential care facility within which all residents are at least 60 years of age or older and do not require probationary or custodial care governed by the terms of any court or parole board;
 - (iii) That Section 14.(7) of Zoning by-law No. 6593, shall not apply to the subject lands;
 - (iv) That notwithstanding Section 14.(9)(i) of Zoning By-law No. 6593, a landscape planting strip of not less than 1.2 m in width shall be provided and maintained along the westerly lot line;

- (v) That Section 18A.(1)(f) of Zoning By-law No. 6593 shall not apply;
- (vi) That notwithstanding Section 18A.(7) of Zoning By-law No. 6593, five (5) parking spaces shall be provided and maintained adjacent to Rosslyn Avenue shall have a length of not less than 2.3 m; and,
- (vii) That a minimum landscape area of 26.8% of the lot area shall be provided and maintained on the lot;
- (b) That the amending by-law be added to Section 19B of Zoning by-law No. 6593 as Schedule S-1439, and that the subject lands on Zoning District Map E-45 be notated S-1437.
- (c) That Corporate Counsel be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-45, for presentation to City Council; and,
- (d) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

2. Westdale Village B.I.A. – Proposed Budget and Schedule of Payment for 2000 (PWT99084)

- (a) That the 2000 operating budget for the Westdale Village B.I.A. (attached as Appendix 'B') be approved in the amount of \$45,000; and,
- (b) That the General Manager of Finance be hereby authorized and directed to prepare the requisite by-law pursuant to Section 220, The Municipal Act, R.S.O. 1990, to levy the 2000 budget as referenced in (a) above; and,
- (c) That the following schedule of payments for 2000 be approved:

January	\$15,000
April	\$10,000
July	\$10,000
October	\$10,000

Note: 1999 assessment appeals may be deducted from the 2000 levy payments.

3. Demolition of 112-114 & 116 Wellington Street North (PDC99148)

- (a) That subject to the requirements below, the Building Commissioner be authorized to deny an application for a demolition permit for the building located at 112-114 and 116 Wellington Street North, in accordance with Demolition Control By-law 74-290 pursuant to the demolition control provisions of the Planning Act (sec.33); and,
- (b) That the Building Commissioner be authorized to issue a demolition permit for the building located at 112-114 and 116 Wellington Street North subject to the following conditions:
 - (i) the applicant has applied for and received a building permit for a replacement building on this property; and
 - (ii) the said building permit specifies that the replacement building be erected within two years of the demolition of the existing building on this property; and
 - (iii) the said building permit for the replacement building specified if such replacement building is not erected within the said two year time limit, that the City be paid the sum of \$60,000 (\$20,000 for each of the three dwelling units of the existing building that were demolished); and,
 - (iv) the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions (including the directions to the City Clerk listed below) in a form satisfactory to the Building Commissioner and to the City Solicitor; and,
 - (v) if the said replacement building is not erected as required, the City Clerk be authorized to add the said sum to the collector's roll, which sum shall remain a lien upon the property until paid.

4. Parkway Manor Phase 1, and Woodland Meadows – Cash in lieu of 5% Parkland Dedication (PDC99150)

That the City of Hamilton accept the sum of \$ 46,000.000 for Parkway Manor - Phase 1" and \$ 46,000.00 for "Woodland Meadows" as the payment in lieu of the 5% land dedication in connection with "Parkway Manor – Phase 1" and "Woodland Meadows", Hamilton being the cash payment required under Section 51.1 of the Planning Act.

5. Authorization for Staff Attendance at Ontario Municipal Board hearing- 120 Walter Avenue North (PDC99154)

That the appropriate staff (e.g. Legal Services and Community Planning and Development) be authorized to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision to deny Application No. A-99:191, respecting property located at No. 120 Walter Avenue North, as shown on attached map marked as APPENDIX "C".

6. Hamilton Emergency Loan Program, 223 Broadway Avenue (HSB99009)

That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, seven hundred and twenty-five dollars (\$1,725) be approved for Ljulja Ljulidjuraj, 223 Broadway Avenue. The interest rate will be 2 per cent amortized over 5 years.

7. Commercial Property Improvement Loan Program, 164 ½ King Street East (HSB99010)

That a loan increase, for façade improvements, under the Commercial Property Improvement Loan Program, in the amount of fifteen thousand and eight dollars (\$15,080) to Paul Roth, registered owner of 164½ King Street East, be approved.

8. Appointment of members to CAPIC and LACAC

(a) That Gary Ostofi be appointed to serve on the Central Area Plan Implementation Committee for a term to expire November 30, 2002; and,

(b) That the following Citizen Members be appointed to serve on the Local Architectural Conservation Advisory Committee:

Elaine Sheppard	for a term to expire November 30, 2000
Brian Henley	for a term to expire November 30, 2002
Donna Reid	for a term to expire November 30, 2002
Jeffrey Steadman	for a term to expire November 30, 2002

9. Guideline for Identification, Assessment and Remedial Work Related Work Related to Problems in Masonry Buildings (PDC99075)

- (a) That the Building Department be authorized and directed to hold a public meeting to present the report prepared by JNE Consulting Ltd., and Robert G. Drysdale, Ph.D., P.Eng., titled "Guideline for Identification, Assessment and Remedial Work Related to Problems in Masonry Buildings"; and,
- (b) That the Building Department be authorized and directed to hold a training seminar aimed at design professionals, consultants and contractors to share information on masonry construction, failure mechanisms and rehabilitation with the local construction industry; and,
- (c) That the Building Department be authorized and directed to commit up to \$50,000 to hire a consultant to assist property owners through a proactive investigation of the condition of existing high rise masonry buildings. This proactive approach is to start in Ward 2; and,
- (d) That additional revenues generated be used to offset the \$50,000 cost of consultants, and that any shortfall be absorbed in the year 2000 operating budget.

10. Planning Application fees (PDC99155)

That approval be given to City Initiative 83-B to amend the Planning Application Fees as shown on APPENDIX "D".

11. Streamlining of Land Development Approvals Processes (PDC99153)

- (a) That the General Manager, Community Planning and Development Division, or designate, be delegated consent granting authority for those applications for consent that are for the purpose of creating servicing or maintenance easements;
- (b) That the General Manager, Community Planning and Development Division, or designate, be assigned the authority to grant a provisional consent, in accordance with the Planning Act and regulations thereunder, where the application complies with all of the applicable provisions of the City of Hamilton Zoning By-law No. 6593 and the

December 14, 1999

FEB 15 2000

GOVERNMENT DOCUMENTS

application is not in dispute or where any dispute is resolved without a hearing;

- (c) That the General Manager, Community Planning and Development Division, or designate, be granted the authority to prepare and present to City Council by-laws to exempt lands from Part Lot Control where the exempting by-law is required to implement the conditions of draft plan approval;
- (d) That the General Manager, Community Planning and Development Division, or designate, be granted authority to recommend conditions of draft plan approval for plans of condominium for new development;
- (e) That the General Manager, Community Planning and Development Division, or designate, be authorized to recommend approval for applications for the extension of a draft approved plan of subdivision or condominium;
- (f) That the approval of engineering schedules, cost sharing arrangements and the associated subdivision agreements be delegated to the General Manager, Community Planning and Development Division, or designate, as an assigned signing officer for the City of Hamilton;
- (g) That in those circumstances where the owner of a subdivision wishes to proceed with construction of the required infrastructure in accordance with the conditions of Draft Plan Approval for a Plan of Subdivision prior to final execution of a subdivision agreement with the City, that the owner be allowed to do so at their own risk provided that they enter into a standard pre-servicing agreement with the City of Hamilton;
- (h) That the Mayor and Municipal Clerk be authorized and directed to execute City Pre-Servicing agreements, providing such agreements are in a form satisfactory to the Corporate Counsel;
- (i) That the amount of 5% payment as cash-in-lieu of parkland dedication in subdivisions be calculated by the Property Department and collected through subdivision agreements without submission to Council;
- (j) That the General Manager, Finance, or his/her designate, be authorized and directed to close Subdivision Capital Project accounts, upon notice from the General Manager, Community Planning and Development, or his/her designate, that all payment

of all servicing costs from these accounts are complete and no further payments by the City are required;

- (k) That the General Manager, Finance, or his/her designate, be authorized and directed to transfer all excess funding from closed Subdivision Capital Project accounts to the original source of funding; and,
- (l) That the General Manager, Community Planning and Development Division, be authorized and directed to prepare a monthly status report with respect to the above mentioned items in terms of activity in these delegated functions.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Copps. -1.

CARRIED.

12. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

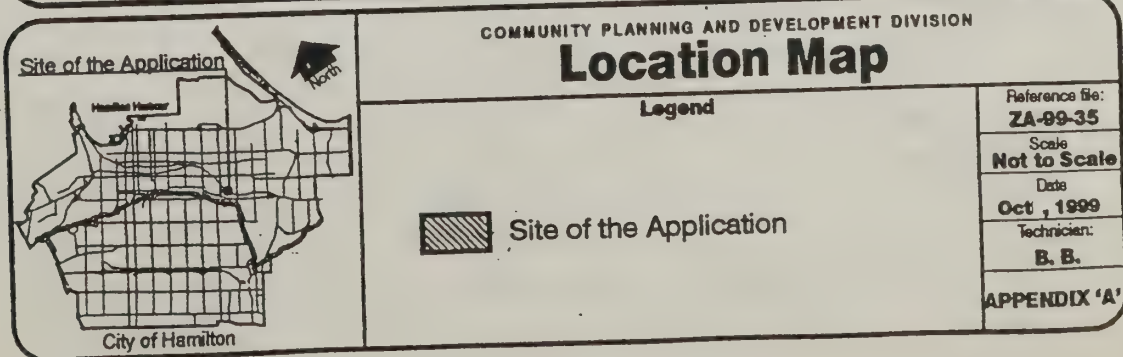
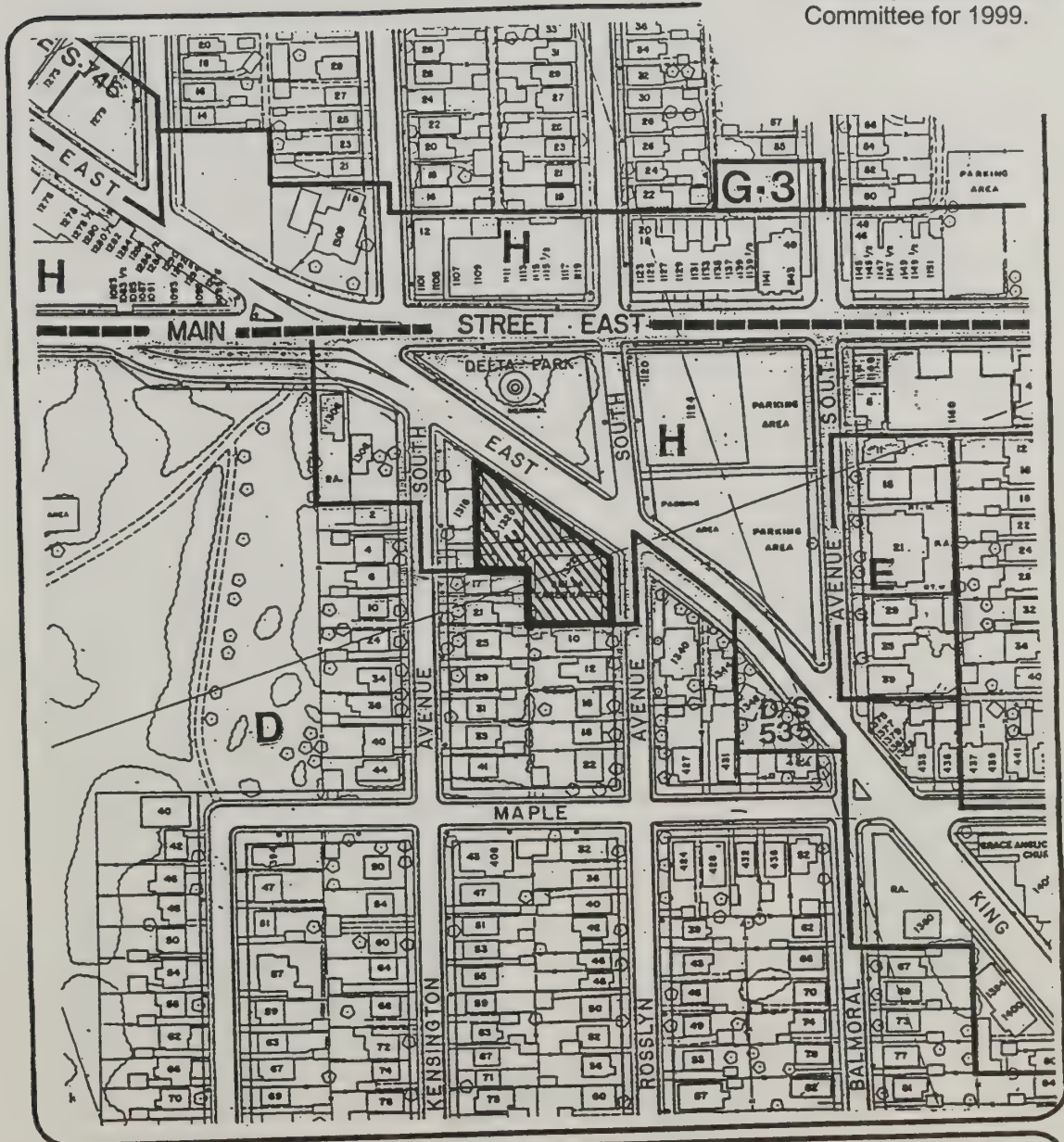
- (a) C-79 A By-law to Amend Zoning By-law No. 6593 Respecting lands located at Municipal Nos. 1320-1322 King Street East.
- (b) C-80 A By-law to Designate Land Located at Municipal No. 777 York Boulevard as Property of Historical and Architectural Value and Interest.

Respectfully submitted,

ALDERMAN F. D'AMICO, CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE

Tina Agnello, Secretary
December 8, 1999

Appendix "A" referred to in Section 1 of the **TWENTY-SIXTH** Report of the Planning and Development Committee for 1999.



Appendix "B" referred
to in Section 2 of the
TWENTY-SIXTH Report of the
Planning and Development
Committee for 1999.

**Westdale Village Business Improvement Area (B.I.A.) –
Proposed Budget and Schedule of Payment for 2000 (PWT99084)**

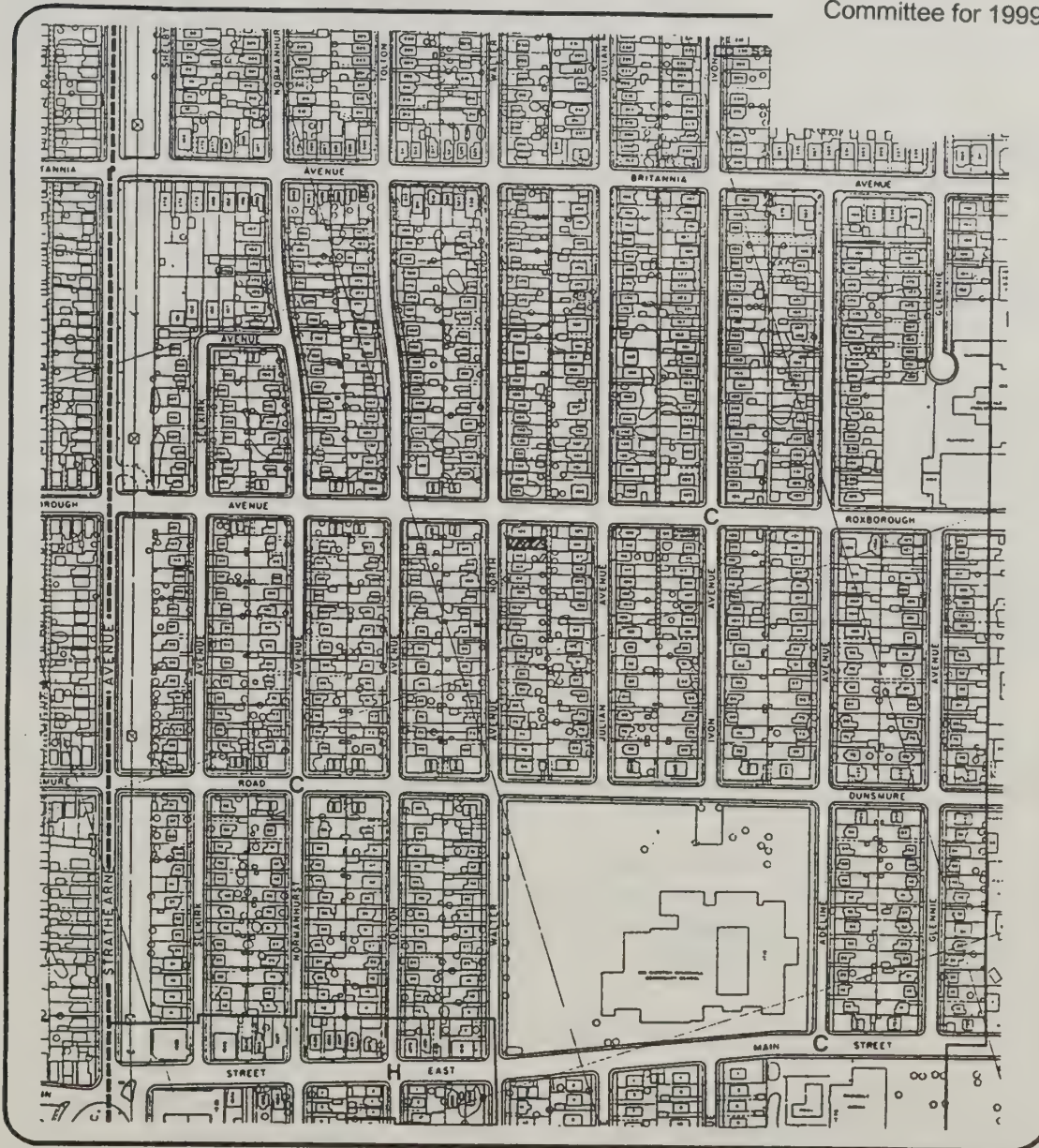
APPENDIX

WESTDALE VILLAGE BUSINESS IMPROVEMENT AREA'S

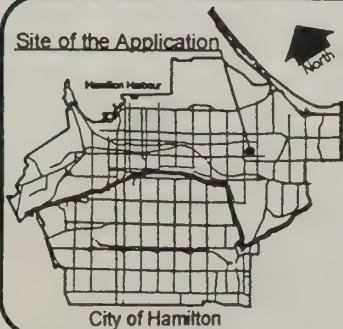
2000 BUDGET

Rent		\$ 1,200
Insurance		\$ 1,600
Staff Wages	\$5,200	
Student	\$ 500	\$ 5,700
Board Expense		\$ 1,200
Audit		\$ 350
Annual General Meeting		\$ 400
Office		\$ 1,500
Maintenance		\$ 1,500
Event Promotions		\$21,550
Advertising (radio, newspaper, Magazine)		\$10,000
TOTAL BUDGET		\$45,000

Appendix "C" referred
to in Section 5 of the
TWENTY-SIXTH Report of the
Planning and Development
Committee for 1999.



Site of the Application



COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map

Legend



Site of the Application

Reference file:

A-99:191

Scale

Not to Scale

Date

Nov., 1999

Technician:

B. B.

APPENDIX 'A'

Appendix "D" referred
to in Section 10 of the
TWENTY-SIXTH Report of the
Planning and Development
Committee for 1999.

APPENDIX "D"
REVISED PLANNING FEES

<u>SERVICE</u>	<u>CURRENT FEE</u>	<u>2000 FEE</u>
1. Land Division Consent Fee	\$800	\$825
2. Land Division Consent Application Re-Circulation Fee	N/A	\$102
3. Land Division Deed Certification	N/A	\$102
4. Land Division Consent Extension or Deferral	N/A	\$ 25
5. Land Division Consent Appeal	N/A	\$425
6. Committee of Adjustment Appeal	N/A	\$210
7. Subdivision/Condominium Application Maintenance Fee (for files over 3 years old)	N/A	\$210
8. Extensions to Site Plan Approval	N/A	\$255

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TWENTY-SEVENTH** Report for 1999 and respectfully recommends:

1. Reuse of Former Plastimet Site, 361, 363, & 371 Wellington St. N. (PDC99160)

- (a) That "Open Space/Park/Recreation" be endorsed as the preferred potential future land use for the former Plastimet site located at 361, 363 and 371 Wellington Street North in the North End East Neighbourhood;
- (b) That the Department of Public Works and Traffic Parks Division be authorized to begin a public consultation process with the Neighbourhood to determine the specific attributes and amenities of a potential future park;
- (c) That City staff continue to work with Ministry of the Environment staff to investigate expeditious clean-up of the site and all opportunities for cost savings; and,
- (d) That an application be made to the Federal Government to secure a "Millennium Grant" in relation to said possible future land use.

2. Part Lot Control 99-13, Losani Homes Ltd.- Tiffany Phase 3

- (a) That approval be given to Part Lot Control Application 99-13, Losani Homes Limited, owner, to remove part-lot control for Lots 38 – 42, located in "Tiffany, Phase 3", Registered Plan 62M-884, for lands known municipally as 11, 5, 1, 2, and 6 Cordingly Court, for the purpose of revising lot lines, as shown on the attached map marked as Appendix "A";
- (b) That the by-law, to remove part lot control from Lots 38 – 42, inclusive, located in "Tiffany, Phase 3", Registered Plan 62M-884, be enacted by Council;

- (c) That the exempting by-law be restricted to a 3 month effective time period to expire on March 15, 2000;
- (d) That following the enactment of this by-law, the Director, Land Development, Community Planning and Development Division (as delegate of the Minister of Municipal Affairs and Housing) be requested to grant approval to the by-law and endorse the same on the by-law.

3. CN Station

Whereas Canadian National Railway applied for a change in zoning for lands known as 360 James Street North and the Labourer's International Union of North America (LIUNA) has subsequently purchased the subject lands and assumed responsibility for finalizing the zoning application;

And Whereas a public meeting of the Planning and Development Committee was held on June 23, 1999 to consider the proposed changes in zoning, and that the Planning and Development Committee recommended to Council approval of Zoning Application 99-09;

And Whereas City Council, at its meeting of July 29, 1999, adopted the recommendation of the Planning and Development Committee to approve Zoning Application 99-09;

And Whereas the purpose of Zoning Application 99-09 was to provide for changes in zoning from "J" (Light and Limited Heavy Industry, etc.) District to "H"-H' (Community Shopping and Commercial, etc. - Holding) District (Block "1") and "A" (Conservation, Open Space and Parkland) District (Block "2") to permit the conversion of the existing building for use as a training centre, restaurant, office, retail and entertainment uses and the construction of a new building for use as a 120 bed residential care facility and a day nursery for 30 children and open space uses;

And Whereas LIUNA, by way of Site Plan Control Application 99-50, has deleted the residential care facility and day nursery component of the proposed adaptive reuse of the existing buildings on the subject lands;

And Whereas the Ontario Heritage Foundation have advised that they are in support of the restoration and renovation project for the subject lands and that revitalization of the former CN Railway station is considered to be of considerable value to the community and the proposed adaptive reuse of the existing buildings is considered to be a good use of the space;

And Whereas City Council, at its meeting of September 28, 1999, approved the application for a Heritage Permit for the subject lands in accordance with the applicable provisions of the Ontario Heritage Act;

And Whereas based on Site Plan Control Application 99-50, no new buildings are proposed for the lands known as 360 James Street North;

And Whereas the revised redevelopment concept is a less intense use than the redevelopment concept considered at the public meeting of the Planning and Development Committee held on June 23, 1999, and that the revised proposal complies with the City of Hamilton Official Plan;

That Therefore Item 1 of the Thirteenth Report (1999) of the Planning and Development Committee is amended as follows:

- (a) That Subsection 1.(a) be deleted in its entirety and replaced with the following:

“(a) That Block “1” be rezoned from “J” (Light and Limited Heavy Industry, etc.) District to “H” (Community Shopping and Commercial, etc.) District;”

- (b) That Subsection 1.(c)(i)(1) be deleted and replaced with the following:

“(1) a restaurant, but not a drive-thru or take-out restaurant, banquet hall, training school, lodge, trade union hall, and business or professional person’s offices shall be permitted within the buildings and structures existing on the day of the passing of the by-law;”

- (c) That Subsection 1.(c)(i)(1)(aa) be deleted in its entirety and replaced with the following:

“(aa) the external appearance and character of the existing buildings shall be preserved and maintained;”

- (d) That Subsection 1.(c)(i)(1)(bb) be deleted in its entirety and replaced with the following:

“(bb) the banquet hall, including any areas for the preparation and cooking of food, shall have a maximum gross floor area of 2,680 square metres;”

- (e) That Subsection 1.(c)(i)(1)(dd) be deleted in its entirety and replaced with the following:

- “(dd) the business or professional person’s offices shall have a maximum gross floor area of 2,210 square meters;”
- (f) That Subsection 1.(c)(i)(1)(ee) be deleted in its entirety and replaced with the following:
 - “(ee) the training school, including accessory offices and classrooms, shall have a maximum gross floor area of 1,200 square meters;”
- (g) That Subsection 1.(c)(i)(2) be deleted in its entirety;
- (h) That Subsection 1.(c)(i)(3) be deleted in its entirety;
- (i) That Subsection 1.(c)(iii) be deleted in its entirety;
- (j) That Subsection 1.(c)(iv) be deleted in its entirety;
- (k) That Subsection 1.(c)(i)(1)(ee) be deleted in its entirety and replaced with the following:
 - “(ee) A visual barrier having a height of not less than 1.8 m or greater than 2.0 m shall be provided and maintained along any lot line abutting a railway right-of-way.”
- (l) That Subsection 1.(c)(viii) be deleted in its entirety;
- (m) That Subsection 1.(d) be deleted in its entirety.

4. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) C-81 A By-law to Amend Zoning By-law No. 6593 Respecting lands located at the rear of Municipal Number 843 West 5th Street.
- (b) C-82 A By-law to Remove Land within the “Tiffany”, Phase 62M-884 from Part Lot Control.

December 14, 1999

- (c) C-83 A By-law to Amend Zoning By-law No. 6593 Respecting lands located at Municipal Number 360 James Street North.

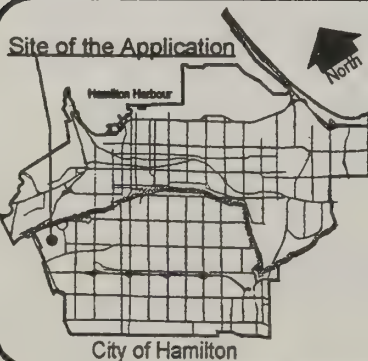
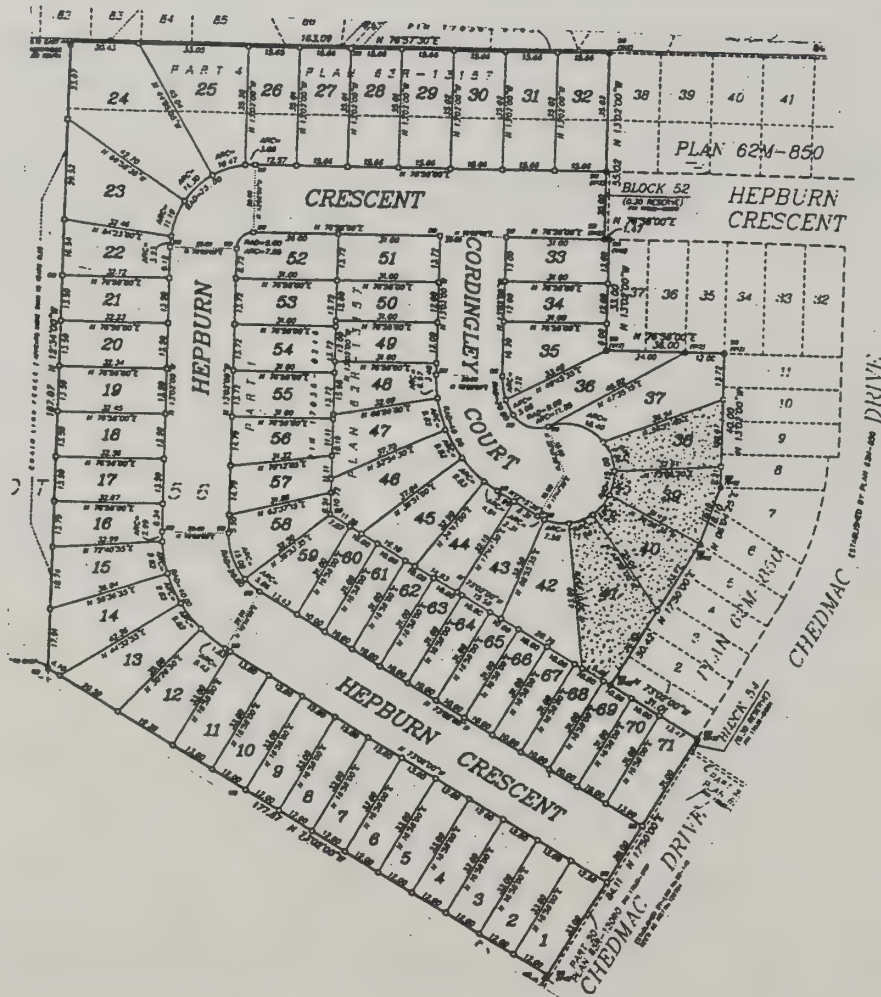
Respectfully submitted,

ALDERMAN F. D'AMICO, CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE

Tina Agnello, Secretary
December 14, 1999

December 14, 1999

Appendix "A" referred to in
Section 2 of the TWENTY-SEVENTH
Report of the Planning and Development
Committee for 1999.



PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend



Subject Lands

Reference file:
PLC-99-13

Scale
Not to Scale

Date
Dec., 1999

Technician:
D.L.

Location Map

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **NINETEENTH** Report for 1999 and respectfully recommends:

1. Council Meeting Schedule for 2000

That notwithstanding the meeting schedule specified in the City Procedural By-law, that the following scheduling changes for the year 2000 be approved:

- (a) That the meeting of City Council scheduled for Tuesday, January 11, 2000 be cancelled due to the fact that no Standing Committee meetings are scheduled for the first week of January, 2000.
- (b) That during the period of July to September 2000, City Council meet as Committee of the Whole in two half-day sessions to consider all Standing Committee business followed by the formal City Council meetings on the dates indicated below:
 - (i) Tuesday, July 4, 2000 – 1:00 p.m. – 4:00 p.m., Council Chambers
 - (ii) Tuesday, September 5, 2000 – 1:00 p.m. – 4:00 p.m., Council Chambers
- (c) That the regular Standing Committee and Council meetings scheduled during the months of July and August, be cancelled with the exception of a special Planning and Development Committee meeting tentatively scheduled to meet on Wednesday, August 9, 2000 at 9:30 a.m. to be immediately followed by a City Council meeting; and,
- (d) That notwithstanding the City of Hamilton Procedural By-law which provides for a minimum of 24 hours notice for a special City Council meeting, that the Municipal Clerk be directed to provide a minimum of 72 hours notice if a Special City Council Meeting is required during the period between July 3rd and September 1st in order to permit Members of City Council sufficient time to return to the City of Hamilton for any special meetings if they are out of town.

2. Hamilton Downtown Partnership (FIN99094)

- (a) That the General Manager, Finance be directed to disburse to the Hamilton Downtown Partnership the amount of \$150,000, allocated in the 1999 Budget of the Region and the City for services rendered in 1999; and,

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Jackson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: Aldermen Collins, Charters, Anderson. -3. **CARRIED.**

- (b) That the Hamilton Downtown Partnership be required to provide quarterly updates to the Joint Meeting Session of the Finance and Administration Committees and to the Region Economic Development Committee.

- (c) That the mandate and operation of the Downtown Partnership be reviewed by the Finance and Administration Committee at its first meeting of 2000. **ADDED.**

3. Hamilton Fire Department Three-Year Business Plan – Strategy Update (CSC99046)

- (a) That the amendments to the Hamilton Fire Department 3-Year Business Plan described below be received for information:
- (i) Delete plans to purchase a site for new west end Station 10
 - (ii) Add determination to renovate/expand the existing Station 10 site for fire and ambulance services in the west end of the City.
 - (iii) Do not proceed with the sale of the site of Station 11
 - (iv) Assignment of responsibility for ambulance fleet maintenance to the Fire Department

- (v) Add confirmation of strategic alliance with ambulance service for the provision of ambulance stations at selected Hamilton firehalls.
- (b) That Council approve an increase in the complement of the Fire Department through the addition of one licensed mechanic at no cost to the City and with associated costs of employment paid for through a service agreement between the ambulance service provider and the City of Hamilton; and,
- (c) That the General Manager, Community Services be authorized to forward for consideration in the 2000 Capital Budget process a capital project calling for the construction of demised spaces to house land ambulance stations as described in the schedule attached herewith and marked Appendix "A"; and,
- (d) That, in the event City Council approves the capital project described in (c) above, the General Manager, Corporate Services be authorized to draft leases between the parties in a form acceptable to Corporate Counsel; and,
- (e) That the revised Tiered Response Policy, attached herewith and marked Appendix "B", be received for information.

4. Endorsing the Hamilton Community Energy System (ENV98025(G))

- (a) That the City of Hamilton endorse the Community Energy System (CES) project to provide heating and cooling to downtown buildings under the direction of the Hamilton Hydro Electric System.
- (b) That Hamilton Hydro Electric System be authorized and directed to proceed with a Request for Proposals (RFP) for a private sector partner to provide marketing expertise and a possible financial contribution to the project.
- (c) That the City of Hamilton retain a majority equity position in the CES project.

5. Expropriation of Part of 1472 Upper Gage Avenue, Hamilton (RDS99195)

- (a) That an Agreement by Owner to Accept Compensation resulting from the expropriation of part of 1472 Upper Gage Avenue, Hamilton executed by the owners on November 23, 1999 and

scheduled to close on or before February 15, 2000 for the said lands being composed of Part 2 on Plan 62r-11322 designated as Parts 1 & 2 on Expropriation Plan No. LT494229, be approved and completed and compensation of \$32,425.47 be charged to Account COHAM 58535-100045 (Services through Unsubdivided Lands).

- (b) That it is understood and agreed that only construction/servicing costs for the establishment of Elmore Drive will be charged against the 1' Reserve (Part 2 on Expropriation Plan LT 494229) and recovered at the time of development of the abutting lands in accordance with municipal subdivision policies in place at the time of development.
- (c) That the Mayor and Municipal Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the Corporate Counsel.

6. Development Charges Act – Complaint – Lots 36, 37, 38, and 39 Argyle Avenue (PDC99147)

That after hearing the evidence and submission of the complainant, Mr. Pat Mancini, the Council of the City of Hamilton hereby refunds the development charges imposed on the properties located on lots 36, 37, 38, and 39 Argyle Avenue pursuant to the City of Hamilton Development Charges By-law 95-176 in the amount of \$6,368.20.

7. Process for obtaining Authorization for, and reporting on, the acquisition, disposition or lease of any interest in land, by the City of Hamilton (CS99028)

That all reports dealing with the acquisition, disposition or lease of any interest in real property be reported through the Finance and Administration Committee in one of the following manners:

- (a) A report recommending approval of any real estate transaction, which transaction does not fall within the parameters of the delegation of authority to staff for routine real estate matters policy; or,
- (b) A quarterly report outlining all real estate transactions that have taken place pursuant to the delegation of authority to staff for routine real estate matters policy.

8. Declaration of Surplus Property – one foot reserve in front of a portion of 24 Sanatorium Road – Offer to Purchase (CS99029)

- (a) That a one foot reserve across the front of part of the property known as 24 Sanatorium Road, Hamilton, be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049; and,
- (b) That Real Estate, Legal Services Section, be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law No. 95-049.
- (c) That an Offer to Purchase, to be executed by David Campanaro, scheduled to close on or before January 12, 2000, being part of Block "U", Registered Plan 1157, designated as Part 2, Plan 62r-12805, being a one foot reserve having a frontage of 11.31 metres (37.1 feet) more or less, along the southerly property line adjacent to Sanatorium Road, be approved and completed and the funds derived from this sale of \$2.00 be credited to Account Centre 47702-100035 (Reserve for Property Purchases – Sales); and,
- (d) That the Mayor and Municipal Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the Corporate Counsel; and,
- (e) That the Municipal Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed to Section 193 of The Municipal Act incorporating the following:
 - (i) satisfactory notice has been given to the public of the intended sale, by inclusion of the real property sale in the agenda of the Council at which the intended sale is to be considered by Council; and,
 - (ii) the real property intended to be sold is exempt from the requirement to obtain an appraisal of its fair market value under the following exemption:

Land 0.3 metres or less in width acquired in connection with an approval or decision under the Planning Act.

9. Write Off of Outstanding Business Taxes (FIN99104)

That outstanding business taxes in the amount of \$437,209.91 be written-off in accordance with Section 441 of the Municipal Act, R.S.O. 1990 and charged to account COHAM 52174 211035, Tax Write-offs.

10. Authorization to enter into Extension Agreements on specific properties for the payment of realty tax arrears (FIN99107)

(a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the Corporate Counsel and the General Manager, Finance pursuant to Section 8 of the Municipal Tax Sales Act, with the following owners to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on June 28, 19994:

- (i) 59 Greencedar Drive
- (ii) 25 West Avenue South

(b) That the appropriate by-law to authorize the said Extension Agreements be enacted by Council.

(c) That the Mayor and Municipal Clerk be authorized to execute the aforesaid by-law and extension agreements.

11. Inter-municipal Agreement for Provincial Offences Act (FIN99106)

(a) That the Corporation of the City of Hamilton agrees to enter into an Inter-Municipal Service Agreement with the Regional Municipality of Hamilton-Wentworth, whereby the Region will assume the responsibilities for court administration and prosecution functions under the Provincial Offences Act, as set out in a Memorandum of Understanding and a Local Side Agreement to be entered into by the Region and the Province of Ontario; and,

(b) That the terms and conditions to be contained in the Inter-Municipal Service Agreement with the Region shall be as set out in the draft Agreements attached to Report FIN99106; and,

(c) That the Mayor and the Clerk be authorized and directed to execute the said Inter-Municipal Service Agreement.

12. Funding Source for a Brief regarding Hamilton Issues (FIN99099)

That as referred to in Section 9 of the Nineteenth Report for 1999 of the Planning and Development Committee and approved by City Council on October 26, 1999, the cost to finance the retention of Suzanne and Henry Lennard of the "Making Cities Livable" conference to prepare a brief regarding City of Hamilton issues in the amount of \$4,000 be funded from the Consulting Services Account COHAM 55801 211010.

13. Funding Source to defend Occupational Health and Safety Charges (FIN99098)

That as referred to in Section 10 of the Sixteenth Report for 1999 of the Finance and Administration Committee, and approved by City Council on November 9, 1999, the cost to finance the professional services rendered in relation to the Occupational Health and Safety Charges brought against the City of Hamilton in the accidental death of Mr. P. Faustini in an amount not to exceed \$65,000 be funded from the Reserve for Contingency account COHAM 58525 104015.

14. City of Hamilton Annual Reserve Report (FIN99103)

That the Annual Reserve Report for the City of Hamilton, circulated to members of Council, and available from the Committee Secretary, be received.

15. Financing – Rennie Street Closed Landfill (FIN99110)

That as referred to in Section 13 of the Ninth Report for 1999 of the Transport and Environment Committee, the cost for the closed Rennie Street design and construction of a leachate collection system to a maximum of \$620,000 be funded from the City's Tax Stabilization Reserve (Account No. 104055).

16. Bills

That the following Bills be adopted, signed, sealed and enrolled a By-laws:

- (a) D-35 A By-law to authorize an Extension Agreement for payment of realty tax arrears

- (b) D-36 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton.

17. Administrative Assistant II vacancies – Aldermen's Support Staff

That, in order to fill two vacancies Silvana Albano and Susan Newton be appointed to the positions of Administrative Assistant II (Aldermen's Support Staff) in the Aldermen's Office on a permanent basis as of January 1, 2000. **ADDED.**

Respectfully submitted,

**ALDERMAN D. WILSON
CHAIRMAN
FINANCE AND ADMINISTRATION
COMMITTEE**

**Susan K. Reeder
Secretary
December 7, 1999**

December 14, 1999

Appendix "A" as referred
To In Section 3 of the
Nineteenth Report for 1999
Of the Finance and
Administration Committee

SCHEDULE 'A'

		Estimated Capital Cost		Lease value first 3 years	Fleet maintenanc first 3 years	Lease value 4th year on	Fleet maintenance 4th year on
		addition/new	Interior Mod's				
Station 1 (John Street)	Modify existing space		\$ 80,000	\$ 20,000		\$ 10,800	
Station 2 (Wellington)	Not required		\$0				
Station 3 (Garth)	Addition new Amb.Bay	1 person/1 unit	\$ 160,000	\$ 20,000		\$ 8,000	
Station 4 (U..Sherman)	Interior Mod's	1 person/1 unit	\$ 155,000	\$ 20,000		\$ 8,000	
Station 5 (Llimeridge E.)	Interior Mod's		\$ 75,000	\$ 20,000		\$ 10,800	
Station 6 (Wentworth)	Interior Mod's	1 person/1 unit	\$ 30,000	\$ 20,000		\$ 8,000	
Station 7 (Quigley)	Interior Mod's		\$ 75,000	\$ 20,000		\$ 10,800	
Station 8 (Woodward)	Not required		\$0				
Station 9 (Kenilworth)	Design space		\$ 202,000	\$ 20,000		\$ 10,800	
Station 10 (Norfolk)	Design space	1 person/1 unit	\$ 160,000	\$ 20,000		\$ 8,000	
Victoria yard	Renovation and Tenant Improvements		\$ 575,000	\$ 120,000	\$ 389,000	\$ 80,000	\$ 232,000
Station 11 (Ray)	Tenant Improvement by Ambulance			\$ 20,000		\$ 10,800	
Total Cost		\$ 522,000	\$ 990,000	\$ 280,000	\$ 157,000	\$ 166,000	\$ 232,000
		\$1,512,000		\$437,000			
	pay back perio		3.459954233				

assumptions:

- 2 person Unit Cost estimates are based on 1,300 sq.ft of blended cost of \$115 for new construction/addition and \$80 for interior renovations plus 35% soft cost
1 person unit based on 1000 sq.ft
- Lease value is \$6 per sq.ft of bay and \$8 per sq.ft for other

Tiered Response

Proposed Modifications to Tiered Response Hamilton-Wentworth Region

Introduction:

Hamilton-Wentworth has had a formal Tiered Response program since 1984 with the fire department assisting the ambulance service with medical emergencies.

Tiered response serves the following purposes:

- ☐ places emergency medical rescuers on the scene as quickly as possible for critical victims
- ☐ ensures there are enough rescuers at the scene, and on the way to hospital to provide effective care for critical patients

Issue

Currently most fire departments in the Region of Hamilton-Wentworth go to all calls the ambulance dispatch think might be a medical emergency. The actual number of calls that the fire fighter can be of assistance is much less.

Review and Recommendation

The HHSC Base Hospital has provided medical input to determine the types of emergencies where the fire fighters are most likely to provide critical assistance. It is recommended that we continue fire department tiered response to those calls. The tiered response program is complimentary to the Rapid Paramedic Response Car initiative.

Expected Outcome

It is expected that the new tiered response criteria will:

- ☐ provide a closer match of patient's needs to resources deployed
- ☐ improve dispatch speed and accuracy
- ☐ reduce tiered calls by ~12% / 2000 calls annually – this is consider a conservative estimate and with further study additional reductions are likely
- ☐ reduce emergency response time intervals (Fire and Ambulance) for critical calls as crews will not be occupied with lower priority patients
- ☐ reduce fire departments costs related to tiered response
- ☐ maintain an cost effective, rapid response to critical medical emergencies in the Region of Hamilton-Wentworth in a partnership of the ambulance and fire services

December 14, 1999

Appendix "B" (Pg.2) as referred
To in Section 3 of the
Nineteenth Report for 1999
Of the Finance and
Administration Committee

Modified
Tiered Response Criteria
Hamilton-Wentworth Region

- 1. Absence of Breathing / Cardiac or Respiratory Arrest**
- 2. Unconscious / Unresponsive**
- 3. Choking / Sudden Shortness of Breath**
- 4. Other Trauma:**
 - a. Penetrating Trauma, i.e. gunshot wound or stabbing**
 - b. Multiple victims, i.e. MVC with reported multiple victims**
 - c. Pedestrians struck**
- 5. Chest Pain (non-traumatic)**

TIER 1	TIER 2
Respond to all calls that meet the criteria 1-5.	Respond to all calls that meet the criteria 1-2. 1. Absence of Breathing / Cardiac or Respiratory Arrest 2. Unconscious / Unresponsive If ambulance ETA to scene is > 8 minutes, • Respond to calls Category 3-5.

- Police to be immediately notified for all potential/confirmed VSA patients.
- All Fire Departments are to be notified of calls with reported:
Gas spillage, victims trapped, vehicle fires, chemical or structural hazards, and as requested. These are fire calls, not part of a tiered response agreement.

REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Mayor presents his **FIFTH** Report for 1999 and respectfully recommends:

1. Appointment of Citizen Members to the Mayor's Committee Against Racism and Discrimination

That the following citizen members be appointed to serve on the Mayor's Committee Against Racism and Discrimination for a term to expire November 30, 2002:

Jo-Ann Savoie
Pat Saunders

2. Replacement of Citizen Member on the Mayor's Committee Against Racism and Discrimination

That Vincent Samuel be appointed to serve as a citizen member on the Mayor's Committee Against Racism and Discrimination for a term to expire November 30, 2001, to fill a vacancy created by a resigning member.

3. Appointment of the Citizen Past Co-Chair as an ex-officio Member on the Mayor's Committee Against Racism and Discrimination

- (a) That the Past Co-Chair, Marlene Thomas Osbourne, be appointed as a ex-officio member of the Mayor's Committee Against Racism and Discrimination, with voting power; and,
- (b) That this position be reviewed by the Selection Committee of the Mayor's Committee Against Racism and Discrimination in November 2000

Respectfully Submitted

MAYOR R.M. MORROW

Stella Glover, Secretary
December 1, 1999

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

The Nominating Committee presents its **SIXTH** Report for 1999 and respectfully recommends:

1. **Appointment of Members to the Canadian Football Hall of Fame and Museum Management Committee**

That the following Citizen Members be appointed to serve on the Canadian Football Hall of Fame and Museum Management Committee:

William Paterson for a term to expire November 30, 2000
Victoria Reiding for a term to expire November 30, 2002

2. **Appointment of Members to the Hamilton Health Sciences Corporation and the Nominating and Governance Committee of the Hamilton Health Sciences Corporation**

That the following Members of City Council be nominated to serve on the Hamilton Health Sciences Corporation and the Nominating and Governance Committee of the Hamilton Health Sciences Corporation for the 2000 term of office:

(a) Hamilton Health Sciences Corporation

Mayor R. M. Morrow
Alderman M. Caplan
Alderman B. Kelly

(b) Nominating and Governance Committee of the Hamilton Health Sciences Corporation (one of the nominees from Item 2(a) above)

Alderman B. Kelly

Respectfully Submitted,

**Mayor R. M. Morrow, Chairman
Nominating Committee**

J. J. Schatz, Secretary
December 14, 1999

December 17, 1999

Minutes of Special Meeting of
Hamilton City Council
Friday, December 17, 1999
11:00 o'clock a.m.
Council Chamber, City Hall

URBAN MUNICIPAL

DEC 24 1999

GOVERNMENT DOCUMENTS

The Council met:

There were present: Mayor R. Morrow, Chairman;
Aldermen M. Caplan, A. Horwath, R. Corsini,
B. Morelli, D. Haining, G. Copps, D. Wilson,
F. Eisenberger, C. Collins, B. Charters, T. Anderson,
B. Kelly, F. D'Amico, O'Sullivan.

Absent: Aldermen M. Kiss - Family Illness
Alderman T. Jackson - City Business

Mayor R. M. Morrow called the meeting to order.

It was moved by Alderman Horwath and seconded by Alderman Corsini that the resolutions respecting the Hamilton Harbour Commissioners be now considered in the Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: -0.

CARRIED.

It was moved by Alderman Haining and seconded by Alderman Wilson that the Committee of the Whole move in-camera to receive a presentation respecting the negotiations with the Hamilton Harbour Commissioners. **CARRIED.**

It was moved by Alderman Kelly and seconded by Alderman O'Sullivan that the Committee of the Whole move back into regular session. **CARRIED.**

RESOLUTIONS

It was moved by Alderman Collins and seconded by Alderman Wilson that:

- (a) That the "Proposal to the City of Hamilton by the Hamilton Harbour Commissioners" dated December 16, 1999, attached hereto as Appendix "A", be approved; and,
 - (b) That Alderman Bob Charters be authorized and directed to execute the Agreement on behalf of the City of Hamilton, in a form satisfactory to Legal Counsel.
- CARRIED.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Kelly, D'Amico, O'Sullivan. -13.

NAYS: -0.

CARRIED.

It was moved by Alderman Horwath and seconded by Alderman Corsini that: Bill F-11: A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton be signed, sealed and enrolled as a By-law. **CARRIED.**

It was moved by Alderman Horwath and seconded by Alderman Corsini that the Report of the Committee of the Whole on Resolutions respecting the Hamilton Harbour Commissioners, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Kelly, D'Amico, O'Sullivan -13.

NAYS: -0.

CARRIED.

City Council then adjourned at 12:55 o'clock p.m.

December 17, 1999

* * * * *

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz,
Municipal Clerk
December 17, 1999**

December 17, 1999

Appendix "A" as referred to in
a RESOLUTION respecting the
Hamilton Harbour Commissioners
on December 17, 1999.

December 16, 1999

PROPOSAL

to the

Corporation of the City of Hamilton

by the

Hamilton Harbour Commissioners

In view of the long standing areas of disagreement between the City of Hamilton and the Hamilton Harbour Commissioners, the parties commenced negotiations in an attempt to reach a full and final resolution of all litigation, actions and disputes between the parties.

The current Board of the HHC recognizes continued litigation is not in the best interests of the City of Hamilton, the Hamilton Harbour Commissioners, the Federal Government or the taxpayers of the community and the country. It is in this spirit, in an attempt to advance harmonious relations, that this proposal is presented to the City of Hamilton. In presenting this proposal it is our expectation that the City of Hamilton will recognize the enormous benefits to be gained by balancing the various interests and needs that are served by Hamilton Harbour.

We further submit that it is in neither party's interest, in accepting this proposal, to declare conquest, or to further challenge the legitimacy of the other party's claims.

The contents of this proposal shall be viewed in the context that the Hamilton Harbour is a resource that serves both economic and social needs. It is recognized as a vital contributor to the success of industry, recreation, transportation, wildlife, shipping, navigation and the natural environment. This proposal, in addition to settling existing disputes, provides a framework and a vision for future harbour developments. It is a vision that seeks to assist in providing a balance between industrial uses and other uses. We accept the premise that Hamilton Harbour should serve this diversity of needs of the community and the country at large.

This proposal, while providing a statement for the future, is also meant to assist and guide the new Port Authority for Hamilton Harbour to commence its work free of litigation in a spirit of goodwill and understanding. It is for these objectives that the following is being submitted to the City of Hamilton by the HHC and it is for these objectives that the parties have agreed to adopt a Charter for their relationship substantially in accordance with the attached.

1. Windermere Basin

- a) All the lands and water encompassing the area of Windermere Basin shown on the attached shall be conveyed to the ownership of the City of Hamilton.
- b) Prior to the conveyance of the Windermere Basin lands and water to the City of Hamilton, HHC will terminate any and all leases affecting the lands to be conveyed. HHC will hold the City of Hamilton harmless from and against any claims, and from any costs and expenses arising in connection with the termination of any such leases.
- c) The parties mutually agree to introduce before City Council a zoning-by-law amendment with respect to the defined area of Windermere Basin, so conveyed to the City of Hamilton as outlined herein, to provide that it be zoned and maintained by the City of Hamilton as green and open space.
- d) The parties mutually agree to introduce before City Council a zoning-by-law amendment to provide for:
 - i) the "K" zoning on the defined areas outlined herein, on the south side of Windermere Basin lands and water; and
 - ii) with respect to the north-west section of Windermere Basin retained by HHC, a modified F-4 zoning in accordance with the attached.HHC agrees that, in the event that Council of the City of Hamilton adopts the zoning by-law amendment for these lands in this paragraph and the preceding paragraph c), HHC will not challenge such modified zoning and will comply with the same in respect of these lands.
- e) With the transfer to the City of Hamilton of the Windermere Basin lands and water, the parties agree that HHC will no longer have any responsibility for maintenance, dredging and greenscape development of the Windermere Basin lands and water. Dredging of the Windermere Basin will be undertaken in a timely manner to ensure the build-up of sediment will not impinge upon the shipping, navigation and transportation needs of the harbour's operations.

2. Eastport

- a) Further to the commitment of the City of Hamilton and HHC to the economic development of the region, the provision of jobs and the maintenance and enhancement of the environment, the parties will implement a project review process for Eastport substantially in accordance with the process adopted by the Port of Vancouver, per the attached, and the City of Hamilton agrees that such process shall be followed provided that the City of Hamilton shall, during the early stages of any development proposal, be given for review any such development proposal so that the City of Hamilton may provide recommendations with respect to matters that would otherwise be the subject of Site Plan Approval by the City of Hamilton including overall site design, siting of buildings, grading, access and landscaping. HHC agrees that in the event that the HHC refuses to accept and be bound by any final recommendation or decision of the project review process with respect to site plan control, HHC will not challenge the jurisdiction of the OMB to hear any appeal by the City of Hamilton regarding HHC's refusal to accept the site plan control recommendations coming out of the project review process, provided that (a) this process shall not derogate from the rights and immunities of HHC with respect to any land use restrictions imposed by the City of Hamilton or the project review process which attempt to prohibit or regulate the use of these lands for purposes of navigation and shipping and (b) provided that the City of Hamilton does not attempt to use site plan control requirements in a colorable manner to prevent development of Eastport. The parties recognize that, notwithstanding that they adopt wholeheartedly a "Good Neighbour Policy", there will be situations in which neither party can legally delegate their respective constitutional authorities or their rights and responsibilities under applicable legislation.
- b) The HHC undertakes to develop the Eastport lands by incorporating an increased level of berming, vegetation and quality landscaping, either independently or in concert with port tenants. In aid of this objective, HHC agrees to spend an additional \$50,000 annually, over and above its current capital expenditure budget, to be reviewed after 5 years.
- c) The HHC shall develop a second public parkette along Eastport for harbour viewing purposes and both parkettes shall be publicly accessible.

-4-

- d) The parties agree to adopt a higher standard of landscaping and improved aesthetic developments on Eastport, including reasonable view protection guidelines having regard to the best practices adopted by other port authorities in Canada.
- e) All of the above contemplated improvements shall be presented as a component of a master development plan, complete with visuals, costing and staging to be presented to the public for comment and consideration.

3. West Harbour

- a) The HHC agrees to convey to the City of Hamilton the waterlots in Pier Sites 1, 2, 3, & 4 as defined on Plans 62R-15142 and 62R-15136 attached. The parties agree that the conveyance of these waterlots shall be subject to (a) restrictive covenants prohibiting any development of the lands the waterlots currently under water other than in accordance with the West Harbour Development Plan and (b) an easement to the public for passage over the waterlots by water.
- b) In addition, the HHC agrees to convey to the City of Hamilton the lands, piers, and waterlots, in Piers 5, 6, 7, and that part of 8, as defined on the attached, together with all buildings and fixtures owned by the HHC thereon.
- c) The City of Hamilton will lease back to the HHC the above mentioned lands, slips, operations and buildings generally associated with Piers 5, 6, 7, and that part of 8, as defined on the attached, for \$1.00 per year for terms of
 - i) in the case of Pier 5, one year,
 - ii) in the case of Pier 6, two years,
 - iii) in the case of Pier 7 and that part of Pier 8 shown, namely, the marina operation, fifteen years.
- d) Upon the termination of the Pier 7/8 lease, the City agrees to offer employment to those of the current HHC employees listed on the attached Schedule employed primarily on or in connection with the Pier 7/8 properties at the date of this agreement, who remain so employed as at the termination of the Pier 7/8 lease, with the City or its designee and upon comparable salary, benefits, terms and conditions, including those with respect to seniority. With respect to any bona fide replacements of the employees listed on the attached Schedule employed on or in connection with the marina operation as at the termination of the Pier 7/8 lease, the City of Hamilton shall have the option either (A) to offer employment in the same manner and on the same terms as above, or (B) to indemnify the HHC in respect of any statutory or

common law termination or severance entitlement due to such replacement employee based upon the salaries disclosed in the attached Schedule, adjusted for inflation and reasonable market changes.

- e) With respect to the remaining Pier 8 lands,
- i) Northeast Section: subject to any prior leasehold interests, HHC will deed to Parks Canada land sufficient for the development of an interpretive centre, not to exceed 7.5 acres (and provide adequate parking on nearby HHC lands) subject to the following conditions: (1) Transport Canada shall commit financing for the construction of enhanced port facilities on Eastport in an amount of no less than \$15,000,000; (2) Parks Canada shall commit to construct and operate the facility on such terms, including funding, as are satisfactory to the parties hereto; (3) in the event that use of this land by Parks Canada for an interpretative centre shall cease in the future at any time after the substantial completion of construction of the interpretative centre facility, the land shall be conveyed to the City of Hamilton; and (4) that docking along the northern perimeter of that part of Pier 8 conveyed to Parks Canada by commercial and industrial users of the port shall be permitted..
 - ii) Balance of Pier 8: HHC will deed the remaining Pier 8 lands to the City of Hamilton if (a) the conveyance in paragraph 3(e)(i) is completed; and (b) the funding described in paragraph 3(e)(i)(1) is received; provided that the City of Hamilton leases back to the HHC the said lands, slips, operations and buildings generally associated with that part of 8, for \$1.00 per year for 25 years, subject to review by the parties every five years for determination of whether or not this part of Pier 8 continues to be used for shipping and navigation purposes. In the event of disagreement between the parties on any fifth anniversary review of the use of Pier 8 over whether or not Pier 8 continues to be used or has commercially reasonable prospects for being used for shipping and navigation, the matter shall be finally resolved by a single arbitrator appointed by the parties. During the lease back period HHC agrees not to construct any new facilities on Pier 8 without the consent of the City of Hamilton.
- f) The HHC will be responsible for all maintenance and repairs to the properties referred to in 3 c) and e)ii) during its leases, subject to reasonable wear and tear and in accordance with HHC's past practices.
- g) If any capital works are undertaken by HHC on any parts of Piers 5, 6, 7 or 8, such works will be performed by the HHC and shall be subject to the consent and approval

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of the City of Hamilton. Cost sharing and design plans shall be agreed between the parties.

- h) The HHC shall have the right to cancel the leases-back with respect to Piers 5, 6, 7, and part of 8 at any time upon the serving of one year's notice to the City of Hamilton.
- i) With respect to the portions of Piers 5, 6, 7 and that part of 8 as defined herein, while it is a lessee of that property, HHC will have a right to sublease premises currently being leased by HHC to any existing tenants including Leander Boat Club, Royal Hamilton Yacht Club and the Police Services Board. Any new subleases to new tenants shall be subject to the consent and approval of the City of Hamilton. With respect to any part of 8 leased back to HHC, HHC shall have a right to sublease to parties engaged in shipping and navigation activities without the requirement for the consent of the City of Hamilton.
- j) The HHC undertakes at its reasonable expense to enhance the public view of the harbour by removing sheds 1 and 2 backing on Marina Drive (Guise Street), and landscape an area to be defined along Guise Street, in accordance with plans prepared by the HHC and approved by the City of Hamilton.

4. Harbour Development Trust

The parties agree that it is in their mutual interests to improve the lands in and around the East End gateway to the harbour and to further enhance the West Harbour lands that are highlighted on the map attached through projects such as the Waterfront Trail.

To this end the parties agree to establish the Hamilton Harbour Development Trust (the "Trust") for the development of these lands, on the following terms.

- a) HHC shall appoint one member to the board of trustees of the Trust and the City of Hamilton shall appoint four members to the board of trustees of such Trust.
- b) HHC agrees to contribute to the Trust \$2,000,000 upon the execution of definitive agreements giving effect to this proposal. HHC further agrees to make additional contributions to the Trust annually, no later than 60 days following calendar year end, until such time as it has contributed an additional \$3,000,000 for a total of \$5,000,000, subject to the following conditions:
 - i) no payments shall be due in any year in which HHC does not have an excess of revenue over expenses;

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- ii) no payments shall be due in any year when the HHC's Reserve for Future Harbour Improvements, or equivalent, falls below \$8,000,000; and
- iii) notwithstanding 4 a) and b) above, by the fifth anniversary date of the definitive agreements, HHC shall have paid an additional \$3,000,000 to the Trust for a total contribution of \$5,000,000.

Trust shall be bound to use these funds contributed by HHC for improvements to Windermere Basin, for land assembly and development costs related to the East End Gateway or West Harbour Front plan, and for the Waterfront Trail.

- c) The parties further agree that the terms of the Trust shall permit contributions by parties other than the HHC to be used for purposes other than the development of lands specified in the attached map and herein.

5. General

- a) The parties recognize and agree that the spirit and intent of this proposal shall be the guiding principle in the implementation of the proposal, in the negotiation of the definitive agreements, and in the management and administration of those agreements.
- b) Notwithstanding any other provision in this proposal, the parties agree that it is not their intention to restrict or limit the jurisdiction of the respective parties, including that of the HHC with respect to shipping and navigation in the Hamilton Harbour and that of the City of Hamilton with respect to land use planning, and any agreements made further to this proposal will clearly state their mutual intentions in this regard.
- c) The City of Hamilton accepts all properties offered herein on an "as is" basis. The HHC makes no warranty with respect to the environmental condition, and no warranty of title on the properties herein.
- d) All of the above is conditional upon
 - i) the settlement on terms acceptable to the parties of all existing actions, applications and proceedings as between them;
 - ii) the settlement on terms acceptable to the City of Hamilton of the litigation between the City of Hamilton and the Attorney General of Canada, provided only that (A) the City of Hamilton agrees that it will not seek to obtain from the Attorney General of Canada any interest in any lands owned by the HHC, including, without limitation, any option to acquire such lands in whole or in part or to interfere with their disposition by way of injunction or otherwise; and (B) the City of Hamilton will agree to a full and final release of any

- interest in such lands as a term of any settlement with the Attorney General of Canada;
- iii) the passage by HHC (or its successor) and by the Council of the City of Hamilton of such legislative instruments, including zoning or other by-laws, as are contemplated by this agreement or otherwise required for its effective implementation;
 - iv) the receipt by the parties of comprehensive mutual Releases signed by the parties releasing each other from all causes of action and demands they now have, may have or could ever have with respect to events occurring up to the present time and with respect to any claims that have or could have been made in the litigation between the parties whether those claims be based upon events occurring prior to or following the present time.
- e) HHC and the City of Hamilton will negotiate in good faith and conclude agreements with respect to the following matters in dispute between them: (i) the City's claims for easements for outfalls and other purposes; (ii) the City of Hamilton's claim for land which may be adversely possessed by the HHC under the Skyway Bridge; (iii) HHC's claim with respect to certain portions of Guise Street that may be situated upon HHC lands; and (iv) any similar disputes between the parties.
- 6) The HHC covenants and agrees with the City of Hamilton that it will not permit any use or authorize or approve any lease of HHC lands for purposes of an animal rendering plant, and agrees to appropriate zoning changes or to the registration of appropriate instruments to give effect to this commitment. This commitment is not intended and shall not be applied to prevent the continuation of any existing use or tenancy.
- 7) All areas so defined in this proposal shall be surveyed by the HHC to precisely set the exact boundaries of lands so conveyed.
- 8) The HHC will initiate a review by Nesbitt Burns of the financial impact of this Proposal and will direct Nesbitt Burns to review, as soon as practical, their assumptions with respect to the impact of this Proposal with the City of Hamilton's accountants, KPMG. HHC will require reasonable assurances with respect to its ability to afford the Proposal, prior to executing the definitive agreements contemplated hereby.
6. Completion of this Agreement
- 1) This conditional agreement shall be binding on the parties and their successors until January 30, 2000, at which time, unless extended by further agreement in writing, the agreement and any obligations of the parties created hereby shall be at an end.

- 2) The parties agree that in the event that this agreement comes to an end the terms of this agreement, and any delay occasioned by the negotiation of this agreement and any extension in writing hereof, shall be without prejudice to the rights of the parties in the litigation.
- 3) It is the intention of the parties, if possible, to implement the definitive agreements arising from this agreement prior to, or as part of, the process of issuing Letters Patent to a new Port Authority for Hamilton, and to require the legal successors to the parties to be obliged to negotiate in good faith to complete definitive agreements to give effect to its terms and its spirit and intent. The lawyers for the respective parties shall co-operate to develop definitive agreements reflecting the intent and spirit of this agreement. Legal counsel for the HHC or its successor shall draft the agreements for review and comment by the City of Hamilton's legal counsel.

CAY ON HBC 705

M21

1999

December 21, 1999

Minutes of Special Meeting of
Hamilton City Council
Tuesday, December 21, 1999
10:15 o'clock p.m.
Council Chamber, City Hall

URBAN MUNICIPAL

DEC 24 1999

GOVERNMENT DOCUMENTS

The Council met:

There were present:

Mayor R. Morrow, Chairman;
Aldermen M. Caplan, A. Horwath, R. Corsini,
B. Morelli, D. Haining, D. Wilson,
F. Eisenberger, C. Collins, B. Charters, T. Jackson,
B. Kelly, F. D'Amico, O'Sullivan.

Absent:

Aldermen M. Kiss	- Family Illness
Alderman G. Copps	- City Business
Alderman T. Anderson	- City Business

Mayor R. M. Morrow called the meeting to order.

It was moved by Alderman D'Amico and seconded by Alderman Collins that the Report of the Committee of the Whole be now considered in the Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: -0.

CARRIED.

COMMITTEE OF THE WHOLE – EIGHTH REPORT

It was moved by Alderman D'Amico and seconded by Alderman Collins that the Report of the Committee of the Whole be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: -0.

CARRIED.

City Council then adjourned at 10:20 o'clock p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz,
Municipal Clerk
December 21, 1999**

REPORT OF THE CITY COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City Committee of the Whole presents its **EIGHTH** Report for 1999 and respectfully recommends:

1. Hiring Protocol (CM99022)

That the hiring protocol attached hereto as appendix "A", be adopted.

2. Memorandum of Agreement – Local 772: I.U.O.E. (C-022-99/HUR99020)

That the Memorandum of Agreement between the City and The Civic Employees of the International Union of Operating Engineers, Local 772 dated December 3, 1999 covering the period August 1, 1999 to September 30, 2001 be approved and implemented in accordance with the terms therein as attached hereto as Appendix "B".

3. Bill

That the following bill be adopted, signed, sealed and enrolled as a By-law.

F-12 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton

RESPECTFULLY SUBMITTED,

**MAYOR R. MORROW
CHAIRMAN
CITY COMMITTEE OF THE WHOLE**

J. J. Schatz
Municipal Clerk
December 21, 1999

Hiring Protocol **City of Hamilton/Regional Municipality of Hamilton-Wentworth**

Complement Approval Process

- a) That approval for all complement adjustments that can be accommodated within budget, or result in net savings, rests with the City Manager
- b) That approval for all complement adjustments which result in a net cost that cannot be accommodated within budget rests with the City and Regional Councils
- c) That the City Manager report, on a quarterly basis, to the City and Regional Councils through the appropriate Standing committees the deployment of human resources in the City and Regional Corporations.
- d) That the City Manager be required to provide a recommendation with regard to the permanent filling of a vacant General Manager position or a vacant Statutory Officer position to the City and Regional Councils and the Director of Public Works to City Council.
- e) That the City Manager have the authority to approve the hiring of all other employees of the City and Regional Corporations

Common Hiring Pool

- a) The merged administration of the City of Hamilton/Region of Hamilton-Wentworth will recognize all employees of the constituent municipalities of the Regional Municipality of Hamilton-Wentworth as being in a common hiring pool for the City of Hamilton/Regional Municipality of Hamilton-Wentworth.

Hiring Protocol

- a) All postings for vacancies in the City of Hamilton/Regional Municipality of Hamilton-Wentworth will continue to be distributed to the constituent municipalities of the Regional Municipality of the Hamilton-Wentworth.
- b) Preference for the filling of vacancies will be given, except where the provisions of a collective agreement prevail, to all employees of the constituent municipalities, prior to the consideration of external applicants.
- c) All employees of the municipalities who accept employment with the City of Hamilton/Regional Municipality of Hamilton-Wentworth will receive full credit for the service with their previous employer for the purposes of receiving benefits, vacation and severance entitlements available from the City of Hamilton, subject to the provisions of current collective agreements, where applicable.
- d) External recruitment will be limited to vacancies, including those generated by the voluntary early retirement programme of the City of Hamilton/Region of Hamilton-Wentworth, which are:
 - I. required by statute (e.g. Municipal Clerk and Medical Officer of Health), or mandated as a result of programme requirements established by the Provincial Government (i.e. by the Ministry of Health for mandatory programmes, or to meet required client-staff ratios in the Homes for the Aged), or
 - II. deemed by the City Manager to be essential to the preservation of public health and safety or
 - III. deemed by the City Manager to be essential to the continued provision of a municipal service.
- e) That the City Manager be directed to report back to the Joint Finance and Administration/Finance and Administrative Services Committee on any vacancies to be filled through external recruitment.

December 21, 1999

THIS MEMORANDUM OF AGREEMENT MADE THIS 3rd day of December, 1999

Between the negotiating committees of:

**THE REGION OF HAMILTON-WENTWORTH
(hereafter referred to as the Region)**

and

**THE CORPORATION OF THE CITY OF HAMILTON
(hereafter referred to as the City)**

and

**THE INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 772
(REGION AND CITY BARGAINING UNITS)**

The parties herein agree to the terms of the Memorandum as constituting full settlement of all matters at issue between the parties.

The undersigned representatives of the parties agree to recommend unanimously acceptance of all the terms of this Memorandum to their respective parties.

The parties herein agree that the term of the Collective Agreement shall be August 1, 1999 to September 30, 2001.

The parties agree that all provisions of the Collective Agreement covering the period August 1, 1997 to July 31, 1999, City IUOE Local 772, shall continue in effect as amended by the following provisions.

The terms and conditions of the City IUOE Local 772 Collective Agreement, will be deemed to govern relations between the parties, except that provisions contained in the expired Regional IUOE Local 772 Collective Agreement, will be deemed to be renewed, and will form part of the City Collective Agreement, to the extent necessary to meet operational requirements.

The Collective Agreements shall be amended in accordance with the following, including attachments and such amendments shall become effective upon ratification by both parties, whose proper officers have appended there signatures hereto unless specifically provided otherwise.

The following are the amendments referred to in item 5 above:

Appendix "B" as referred to in section 2 of the 8th Report of the Committee of the Whole for 1999.

SENIORITY

- 1) With respect to seniority, City Local 772 and Region Local 772 lists will be dovetailed insofar as, Regional employees shall carry service and seniority and be placed within the City list at the appropriate position.
- 2) Non-union employees who are included in unionized positions will be ascribed seniority, equivalent to their current service with the Employer and will be dovetailed insofar as, employees shall carry service and seniority and be placed within the City list at the appropriate position.
- 3) Whenever any non-union position is transferred into a bargaining unit and there is an incumbent in the position, the incumbent will be transferred with the position and the position will not be posted.
- 4) With respect to seniority, employees transferred from one bargaining unit to another bargaining unit, will be dovetailed insofar as, employees shall carry service and seniority and be placed within the new bargaining unit list at the appropriate position. The foregoing only applies to unbroken full-time service.

NOTE: The parties agree that numbers 2,3 and 4 above shall be valid for the term of the Collective Agreement and that effective October 1, 2001, the wording that currently exists in the City Collective Agreement (dated August 1, 1997 to July 31, 1999) with regard to seniority, shall prevail.

ARTICLE 1 SCOPE

Article 1.3

Amend by including: professional engineer, supervisors, superintendents, chief stationary engineer, and chief engineer.

ARTICLE 2 EMPLOYER RESPONSIBILITY

Update the appropriate legislation dates.

ARTICLE 3 UNION RESPONSIBILITY

Update the appropriate legislation dates.

ARTICLE 4 HOURS OF EMPLOYMENT

Article 4.2: Amend to read:

For pay purposes, the first day of the week commences at 11:00 pm Sunday. Standard hours for a three (3) shift operation will be 7 a.m. to 3 p.m., 3 p.m. to 11 p.m., and 11 p.m. to 7 a.m. For the purpose of calculating a calendar day on a three shift operation, the aforesaid day shall begin at 11 p.m.

For those employees at HECFI, save and except the CUP Operators, the standard working hours during day shift shall consist of an 8 ½ hour shift. Such shifts shall include a ½ hour unpaid lunch.

For the purpose of the foregoing, day shift shall be defined as 8:00 a.m. to 4:30 p.m., or any other 8 ½ hour shift starting not earlier than 7:00 a.m. and/or finishing not later than 5:00 p.m. made necessary by the nature of the operation. For the "Operator CUP" and any other employees working other than the day shift, the standard working hours shall consist of any 8 hour shift made necessary by the nature of the operations. Such shifts shall include a ½ hour paid lunch. The lunch periods referred to above may not be taken concurrent with the rest periods as set out in clause 4.7 of this Article."

ARTICLE 5 OVERTIME COMPENSATION

Article 5.1 Amend to read:

Compensation at the rate of time and one-half (1 ½X) for the first four (4) hours and double time (2X) thereafter of the standard rate per hour as set forth in Schedule "A" of this Contract shall be paid for all work performed in excess of eight (8) hours per day or in excess of the standard hours per week as outlined in Article 4 provided that both daily and weekly overtime shall not be paid for the same hours, except that overtime compensation shall not apply to such hours of work in excess of eight (8) hours per day necessitated by shift changes, and providing that employees working on a shift schedule are off duty for a period of not less than eight (8) hours between shifts and for HECFI employees, not less than twelve (12) hours turnaround where the regular shift is days nor to shifts arranged pursuant to clauses 6.5 and 6.6.

In addition to the above, overtime shall be paid at the rate of double time (2X) for all hours worked after twelve (12) continuous hours of work.

In the event an employee who is normally employed on a seven (7) day rotating shift schedule is required to work on his/her scheduled day or days off, he/she shall be paid for all work on the first scheduled day off at time and one-half (1 ½X) for the first four (4) hours, and double time (2X) thereafter and for all work performed on the second (2nd) and third (3rd) successive scheduled day off.

Article 5.2 Amend to read:

Compensation at two times (2X) the standard rate per hour as set forth in Schedule "A" of this agreement, shall be paid for all overtime, performed on Sunday.

Article 5.5 Amend to read:

A "doubling back bonus" of \$1.00 per hour will be paid to employees who are required to report for work without fifteen (15) hours between shifts. This provision will apply only if a scheduled shift is changed with less than 15 hours between shifts and \$1.00 per hour will apply for the completion of that shift of eight (8) hours.

If an employee is called in on overtime, whether time and one-half or double time, the provisions of this clause will not apply. The bonus shall not apply when an employee is receiving payment at overtime rates.

This clause does not apply to HECFI employees.

ARTICLE 6 SHIFT DIFFERENTIAL

Article 6.7 Amend to read

In this clause, there shall be no pyramiding of premium pay, that is, overtime pay will be calculate solely on the employee's regular hourly rate, exclusive of any premiums and overtime pay will be paid for not more than one condition.

ARTICLE 7 ANNUAL VACATIONS

Article 7.1 Amend to read:

An employee shall be granted, except as otherwise expressly provided herein, an annual vacation with pay according to his/her aggregated credited service as follows: Vacation with pay as shown in Column II during the calendar year in which the employee completes the years of service in Column I.

COLUMN I **YEARS OF SERVICE**

1 year
3 years
7 years
15 years
16 years
17 years
18 years
19 years
24 years
27 years

COLUMN II **VACATION WITH PAY**

2 weeks and 2 days, and thereafter
3 weeks and 2 days, and thereafter
4 weeks and 2 days, and thereafter
5 weeks and 2 days, and thereafter
5 weeks and 3 days, and thereafter
5 weeks and 4 days, and thereafter
6 weeks and thereafter
6 weeks and 1 day, and thereafter
6 weeks and 2 days, and thereafter
7 weeks and 2 days, and thereafter

Article 7.7 1 (a) and (b) Amend to read:

Vacation requests for the period January 1 to February 28 shall be filed by November 1 and posted by December 1. Vacation requests for the period of March 1 to December 31 shall be filed by February 1 and posted February 15. Employees who have not scheduled their vacation by February 15th shall forfeit their right to vacation preference.

ARTICLE 8 VACATION PAY ON RETIREMENT OR ON SEPARATION FROM SERVICE

Article 8.1 Amend to read:

An employee who separates or retires shall be paid separation vacation pay on the following basis:

VACATION QUALIFICATION

VACATION PAY

7 weeks and 2 days	14.8%
6 weeks and 2 days	12.8%
6 weeks and 1 day	12.4%
6 weeks	12.0%
5 weeks and 4 days	11.6%
5 weeks and 3 days	11.2%
5 weeks and 2 days	10.8%
4 weeks and 2 days	8.8%
3 weeks and 2 days	6.8%
2 weeks and 2 days	4.8%

ARTICLE 9 STATUTORY HOLIDAYS

Article 9.1 Amend to read:

The Parties agree to the following Statutory Holidays with pay: New Year's Day, Good Friday, Easter Monday, Victoria Day, Canada Day, Civic Holiday, Labour Day, Thanksgiving Day, Christmas Day, Boxing Day and such other holidays as may be proclaimed or declared by law, are recognized by the Employer. Payment for Statutory or Proclaimed Holidays shall be at the employee's standard basic daily rate of pay.

ARTICLE 10 BENEFITS

Article 10.3 (b) Delete

Semi-private hospital coverage.

Article 10.6 (b) Amend to read:

Add to end of paragraph: Payment for the claims form is the responsibility of the employee."

Article 10.7

Delete in its entirety

Article 10.13 Amend to read:

A former employee who:

retired from the Employer under the OMERS 90 factor; or,

retired from the Employer on an early OMERS pension, is between the ages of 55 and 65, and, at the date of their retirement had ten (10) continuous years of employment with the Employer; or,

was terminated after October 1, 1996, for non-disciplinary reasons, while in receipt of LTD benefits;

is eligible for the following benefits,

Extended Medical Plan – Appendix "B"

Dental Plan – Appendix "C"

Life Insurance (2X) times the annual basic wage rate of the employee at the time of retirement rounded to the nearest one thousand dollars, - Appendix "A"

Subject to the conditions that,

these benefits will only be provided if similar coverage is not available to the former employee from another source; and,

these benefits will terminate on the last day of the month in which the former employee attains age 65 years; and,

these benefits terminate upon the death of the former employee; and,

in the case of a former employee terminated as per 10.13 c) above, while on LTD benefits, these benefits terminate at the same time as their LTD benefits, pursuant to the claim which was active at the time of their termination; and

benefits will be provided in accordance with the terms of the Plans as they exist from time to time."

Article 10.14 (replace with Region 10.12) to read:

The Employer agrees to pay full coverage for all employee benefit plans for those employees laid off for a period of up to eight (8) months. Employee benefit plans shall mean Dental, Extended Medical, Prescription Drug, Group Life and OHIP.

ARTICLE 11 LEAVE OF ABSENCE

Article 11.7 (a) Amend to read:

To furnish the Employer with a list of its Negotiating Committee Members, but the said Committee is to be comprised of not more than four (4) members, and

Article 11.12 (replace with Region 11.11) to read:

An employee, who is granted a personal leave of absence without pay of one month or longer, shall pay the full cost of available benefits during the leave. Service and seniority shall NOT accumulate during such leave. Granting of personal leaves of absence shall be at the sole discretion of the Employer.

ARTICLE 13 CALL OUT TIME

Amend to read; An employee who has been requested to report for work on a non-scheduled working day by an authorized official of the Employer, shall be guaranteed a minimum of four (4) hours of work.

ADD NEW Article 13.1 to read:

Employees at Wentworth Lodge who are authorized, by the Employer, to be on stand-by and carry a pager, will receive stand-by pay of \$2.00 per hour for all such hours of stand-by.

ARTICLE 20 PROTECTIVE CLOTHING AND SAFETY EQUIPMENT

Article 20.5 Amend to read:

Insert after "4 shirts", " 2 summer weight shirts".

ARTICLE 22 MISCELLANEOUS

Article 22.1

Update the legislation dates.

Article 22.7 (replace with Region 22.2) to read:

The Employer and the Union agree:

that the Registered Steam Plants, Compressor Plants and Refrigeration Plants of the Employer will employ the appropriate personnel in accordance with the Operation Engineers Act.

that an employee appointed to act in the capacity of Chief Engineer shall be paid a premium of \$1.25 per hour.

Article 25 (add Region article 25)

TRAVEL ALLOWANCE AND BUSINESS INSURANCE

Travel allowance shall be paid only under the following conditions:

the employee is authorized and directed to use his/her vehicle for the Employer's business, and
the employee has presented proof that his/her automobile insurance has been endorsed for business purposes.

The rate paid per kilometer driven on the Employer's business will be thirty-six (36) cents on the first five thousand (5000) kilometers per annum and twenty-three (23) cents for all kilometers in excess of five thousand (5000).

In addition, each employee, who meets the above conditions shall be entitled to reimbursement of up to one hundred dollars (\$100.00) per year upon submission of receipt from his/her insurer.

Article 25

Renumber to article 26

Article 25.1 (now 26.1)

Change dates to read "August 1, 1999 to and including September 30, 2001" in line one.

WAGES AND BENEFITS

Effective October 1, 1998, a general increase of 1% for all Region classifications only.

Effective August 1, 1999, a general increase of 1.5% for all classifications.

Effective August 1, 2000, a general increase of 1.5% for all classifications.

All employees, union and non-union, at all levels of the organization, will be required to make the necessary arrangements to receive their pay via direct deposit.

Income Protection shall be in accordance with the current Region plan. Changes will be as noted:

(City) shall have their 90% benefit level increased to 100% and their 70% benefit level converted to 66 2/3%.

Freeze current 100% entitlement for existing City employees as existing on the date of ratification.

Accrual of 100% entitlements for all employees to be dependent upon employees not incurring any absence for a 12 month period, with one week of 100% benefit to be accrued per 12 month absence-free period. The twelve month periods will be based on a rolling calendar beginning initially on the date of ratification and subsequently from the date of return to work from each and every successive absence. (All City employees entitled to Income Protection)

Bridging: The Employer agrees that the first occasion of an injury or illness will be bridged so that income replacement commences 14 days after the absence begins. Any subsequent new claim or re-occurrence will be bridged so that income replacement commences 28 days after the absence begins. At such time as the claim is decided by W.S.I.B. or L.T.D. payment will revert to direct payment from W.S.I.B. or L.T.D.

The Sick Leave By-law (City) shall be amended in order that non-paid days will be drawn to the nearest ½ day from the current 1/10th day.

Benefits – to match Regional benefit plan

LETTERS OF UNDERSTANDING

City: bridging – delete

Region: twelve hour shift schedule language – delete

All other letters to be included in the new Collective Agreement.

(NEW)

Without Prejudice or Precedent to the Parties.

All Regional classifications, will be evaluated under the Joint Job Evaluation Plan, within 6 months of the date of ratification, by the Employer, of this memorandum.

All ratings will be final and binding and shall not be subject to grievance or challenge.

Failure to complete the above noted evaluation process within the designated time lines will result in the ratings being retro-active to the date of ratification, by the Employer, of this memorandum, otherwise the rates will be effective the date of the evaluation by the committee.

The Joint Job Evaluation Plan, as noted in the Collective Agreement will cease to exist, provided that the above-noted job evaluations are completed, on September 30, 2001.

This letter of understanding is not to be renewed.

Overtime Policy (Region)

Delete

Dated this 3rd day of December 1999, at Hamilton, Ontario.

FOR THE UNION

Phil Sam
David Carter
L. Carter
Greg Heath
Peter Yonem
Clayton
John B.
Bruce P.

FOR THE EMPLOYER

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